Appendix A – Planning history

Georgians Tennis Club planning history

Ref. No: HGY/2024/1839 | Approved with Conditions, 10th October 2024

Conversion of three existing tennis courts to four padel courts, including installation of associated fencing and lighting; alterations to the existing ancillary club/gym building including new windows and installation of cladding.

Ref. No: HGY/2023/2001 | Approved with Conditions, 18th August 2023

Permission to remove 3 trees

Ref. No: HGY/2021/1910 | Approved with Conditions, 24th August 2021

Approval of details pursuant to conditions 3 (Preliminary ecological appraisal) attached to planning permission HGY/2021/0916.

Ref. No: HGY/2021/0916 | Approved with Conditions, 19th March 2021

Installation of 6no. floodlights to tennis court.

Ref. No: HGY/2016/4155 | Withdrawn, 13th January 2017

Creation of artificial grass area with drainage and floodlight adjoining clubhouse

Ref. No: HGY/2013/0039, Appeal ref. No: APP/Y5420/A/13/2198650 | Application not determined; Appeal Dismissed, 24th March 2014

Erection of translucent polythene membrane inflatable dome to cover three tennis courts

Ref. No: HGY/2008/0801 | Approved with Conditions, 3rd June 2008

Erection of container between thick existing shrubbery, on north and west side, and clubhouse.

Ref. No: HGY/2008/0366 | Approved with Conditions, 7th March 2008

Tree works to include repollarding to previous points to 12 x Poplar trees and felling to ground level and stump grinding to 1 x Ash tree.

Ref. No: HGY/2008/0256 | Approved with Conditions, 7th March 2008

Tree works to include 30% crown reduction, thin lift to 5m, install root barrier, prune roots of 1 x Horse Chestnut and 30% crown reduction, thin deadwood, install root barrier and prune roots of 1 x Oak Tree.

Ref. No: HGY/2002/0954 | Approved with Conditions, 28th August 2002

Refurbishment/upgrading of existing tennis courts and the reuse and repositioning of lighting columns and fencing around the site. (Revised Description)

Ref. No: HGY/2002/1661 | Approved with Conditions, 12th December 2002

Various Tree works

Ref. No: HGY/2001/1499 | Refused, 15th March 2002

Holly Park Junior Tennis Club - demolition of existing clubhouse, the erection of a new single storey clubhouse and the erection of a temporary inflatable dome to cover 3 tennis courts.

Ref. No: HGY/1996/0768 | Approved, 24th September 1996

Erection of floodlighting to tennis courts

Ref. No: HGY/1995/0113 | Approved with Conditions, 27th June 1995

Renewal of planning permission for erection of temporary synthetic dome over three tennis courts between 1st October and 31st March (Winter months).

Ref. No: HGY/1994/1227 | Approved with Conditions, 8th November 1994

Erection of steel portal framed single storey tennis clubhouse to replace that previously destroyed by fire.

Ref. No: HGY/1993/1177 | Approved, 18th January 1994

Renewal of planning permission for erection of dome to cover three tennis court

Ref. No: HGY/1989/1386 (Appendix A) **| Approved, 19th July 1990**

Erection of dome to cover three tennis courts

Appendix B – Applications for covered padel courts in MOL and Green Belt

Planning applications for covered padel in Green Belt and Metropolitan Open Land designations

Local Planning Authority	Planning reference number	Site Address	Description of development	Determination	Justification
Hertsmere BC	25/1149/FUL	Tennis Court At Dyrham Park Country Club, Galley Lane, Barnet, Hertfordshire	Installation of a canopy over three of the four existing padel tennis courts.	Approved, 21st November 2025	Green Belt Delegated report found the canopy preserved the openness and was appropriate for the existing sporting use.
LB Enfield Council	24/02817/FUL	Southgate Hockey Centre, Snakes Lane, Barnet, EN4 0PS	Construction of a padel tennis facility and canopy.	Approved, 7th November 2025	Green Belt Committee report found VSC
LB Hounslow Council	P/2025/2200	David Lloyd Racket Club, Southall Lane, Heston, TW5 9PE	Conversion of existing tennis courts to padel courts with associated lighting and canopies over two courts, the creation of covered outside seating area with lighting following the removal of seasonal tennis dome, plant, fencing and existing floodlighting.	Approved, 9th September 2025	Green Belt Delegated Report found the development to be appropriate development in the Green Belt.
LB Kingston upon Thames Council	24/01412/FUL	The River Club Health and Fitness Club, Old Malden Lane, Old Malden, KT4 7PU	Extension and refurbishment of existing health and fitness club to provide new gymnasium, extended swimming pool and associated facilities including changing rooms and cafe; provision of 3 no. padel courts; new outdoor play area; upgraded community hall, and other	Approved (awaiting legal agreement), 10th September 2025	Metropolitan Open Land Committee report considered the development would meet the exception to NPPF paragraph 154 (part g).

			associated works. Installation of pv solar panels.		
Basildon BC	25/00587/FULL	Stock Brook Manor Golf And Country Club, Queens Park Avenue, Billericay, Essex, CM12 0SP	Eight padel courts to replace four existing tennis courts including the erection of weatherproof canopy and external lighting.	Approved, 11th August 2025	Green Belt
Hertsmere BC	25/0796/FUL	Tabard Rugby Club, Cobden Hill, Radlett, Hertfordshire, WD7 7JN	Erection of x4 covered padel tennis courts with club hut and outdoor seating area, new footpaths and cycle stand.	Approved, 8th August 2025	Green Belt Delegated report found screening and additional landscaping would overcome impact to openness.
LB Redbridge Council	0860/25	Tennis courts, south of Jean Brown Indoor Arena, Redbridge Sports and Leisure Complex, Forest Road, Ilford.	Change of use from 2no. tennis courts into 3no. padel courts with new glass panels, fencing panels with lighting and all weather canopy. (Summary).	Approved, 1st August 2025	Green Belt Delegated report found the development to be acceptable development in Green Belt according to the NPPF.
Epping Forest DC	EPF/0687/24	Old Loughtonians Hockey Club, Luxborough Lane, Chigwell, IG7 5AB	Construction of a padel tennis facility.	Approved, 12th June 2025	Green Belt Delegated report considered the scale appropriate to protect openness.
LB Richmond Council	24/0756/FUL	Tennis Courts, Lensbury Resort, Broom Road, Teddington	Alterations to site layout including the removal, addition and reorientation of courts, removal and erection of lighting columns, removal and erection of court enclosures and nets, partial demolition and extension of the existing retaining wall, pickleball and	Approved, 27th May 2025	Metropolitan Open Land

			padel tennis use and associated works.		
LB Havering Council	P1410.24	Romford King George's Playing Fields, Eastern Avenue West, Romford, RM7 7AY	Replacement of two 5-a-side football pitches with four Padel tennis courts, together with associated fencing, floodlighting and canopies.	Approved, 10th March 2025	Metropolitan Open Land
LB Sutton Council	DM2024/01623	David Lloyd, 30 Hannibal Way, Wallington, CR0 4RW	Conversion of two of the existing tennis courts to provide three padel courts, one with a canopy, a covered outdoor seating area and installation of new floodlights.	Approved, 25th February 2025	Metropolitan Open Land Delegated report found the use to be acceptable development within MOL.
LB Ealing Council	244249FUL	David Lloyd Sudbury Hill	Conversion of two existing tennis courts into five padel courts, including two covered and three uncovered courts, along with associated fencing and flood lighting; and creation of covered padel social area.	Approved, 14th February 2025	Metropolitan Open Land Delegated Report confirmed there would be no impact on openness.
Tonbridge and Malling BC	24/01471/PA	Tonbridge Golf Club, Swanmead Way, Tonbridge	Curved canvas shelter to cover the padel tennis courts for the purpose of sheltering the participants from sun and rain.	Approved, 20th January 2025	Green Belt Delegated Report confirmed that the development would not encroach upon the countryside.

LB Hillingdon Council	272/APP/2024/2966	David Lloyd Northwood, 18 Ducks Hill Road, Northwood, HA6 2DR	Conversion of existing tennis courts to two open padel courts, one covered padel court, and ancillary social area, floodlighting, and associated works.	Approved, 17th January 2025	Green Belt Delegated report confirmed the redevelopment of existing sports site would avoid urban sprawl and the visual impact would be in keeping with existing sports facilities.
St Albans City and District Council	5/2024/0942	Tennis Courts At Batchwood Sports Centre, Batchwood Hall, Batchwood Drive, St Albans, Hertfordshire, Al3 5XA	Construction of a padel tennis facility with canopy and floodlighting (AMENDED PROPOSAL DESCRIPTION AND ADDITIONAL INFORMATION)	Approved, 19th December 2024	Green Belt The Delegated Report considered that VSC existed and the coverings represented limited built form.
Buckinghamshire Council	PL/24/0508/FA	Holmer Green Sports Association, 87 Watchet Lane, Holmer Green, Buckinghamshire, HP15 6UF	Construction of retractable roof canopies over two existing padel tennis courts	Approved, 4th July 2024	Green Belt
Brentwood BC	23/01586/FUL	Brentwood Hard Court Tennis Club, Childerditch Lane, Little Warley, Brentwood, Essex, CM13 3FD	Installation of free standing cover to existing Padel Courts.	Approved, 15th March 2024	Green Belt Delegated Report confirmed that there were VSCs.
LB Camden Council	2022/4590/P	Hampstead Cricket Club, Lymington Road, London, NW6 1HZ	Erection of a Padel tennis court with associated fencing, canopy roof, floodlighting and other associated works.	Approved, 22nd February 2023	MOL
East Herts DC	3/21/0638/FUL and appeal ref: APP/J1915/W/21/3272506	Bishops Stortford Lawn Tennis Club, CM23 2TD	Construction of two padel courts with associated floodlights and external works.	Allowed, 13th May 2021	Green Belt Inspector found VSC to outweigh any harm for the Green Belt.

LB Wandsworth Council	2019/4940	Roehampton Club, Roehampton Lane, SW15 5LR	Alterations including the removal of 2 x existing mini tennis courts and the installation of 2 x padel/ mini tennis courts and 1 x mini tennis court; erection of 2 x padel court enclosures with extended framework supporting LED floodlighting; installation of a canopy roof over one padel court.	Approved, 25th March 2020	MOL Committee report found acceptable sporting use and little impact for openness.

Appendix C – Decision Notice (ref: HGY/1989/1386)

HARINGEY COUNCIL

Planning Application Reference No. HGY/41585

TOWN AND COUNTRY PLANNING ACT 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 198

NOTICE OF PLANNING PERMISSION

Name and Address of Applicant
Miss D. Kennett
142 Poplar Grove
Colney Hatch Lane Friern Barnet,London N11 3NX.

On behalf of
The Shepherds Cot Trust
The Bungalow
Crouch End Playing Fields London N8

Site
Holly Park Club Crouch End Pl.Flds.Wood Vale
London N10

Particulars of Development
Erection of temporary dome to cover three tennis courts.

In pursuance of their powers under the above Acts and Orders the London Borough of Haringey as local planning authority hereby PERMIT the above development in accordance with the application dated 10th December, 1989 and drawing No.(s) shown below
Unnumbered.

SEE SCHEDULE OF CONDITIONS ATTACHED

Hornsey Town Hall
The Broadway,
Crouch End,
N8 9JJ

19th July, 1990

for **Borough Planning Officer.**

NOTES (1) Attention is particularly drawn to the Schedule AP1 attached to this notice which sets out the rights of Applicants who are aggrieved by the decisions of the Local Planning Authority.

(2) This decision does not purport to convey any approval or consent which may be required under the Building Regulations 1976, any byelaws or any enactment other than Town and Country Planning Act 1971.

SCHEDULE ATTACHED TO DECISION HGY/41585

The following conditions have been applied to this Consent and these conditions must be complied with.
PLEASE READ CAREFULLY.

1. The development hereby authorised must be begun not later than the expiration of five years from the date of this permission failing which the permission shall be of no effect.
Reason: The condition is imposed by virtue of Section 41 of the Town and Country Planning Act 1971 and to prevent the accumulation of unimplemented planning permissions.

2. That the structure hereby approved shall be erected only during the winter months between 1st October and 31st March and shall be dismantled completely during the whole of the intervening period to the satisfaction of the Local Planning Authority.

3. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs shall be submitted to, approved in writing by and implemented in accordance with the approved details. Reason In order to provide a suitable setting for the proposed development in the interests of visual amenity.

Informative

This approval is for the provision of the Tennis Dome only.A seperate application for planning permission would be required for the alteration of any existing car parking facilities or for the laying out of any new car parking.

for Borough Planning Officer.

19th July, 1990

Appendix D - Batchwood Sports Centre Delegated Report (St Albans CDC, ref: 5/2024/0942)

CITY & DISTRICT OF ST ALBANS **DELEGATED PLANNING APPLICATION**

Reference No: 5/24/0942

Valid Date: 31/07/2024 **End of Stat Period Date:** 24/09/2024

Case Officer: George Kent **Report Written Date:** 17/12/2024

Applicant: PadelStars Limited

Proposal: Construction of a padel tennis facility with canopy and floodlighting (AMENDED PROPOSAL DESCRIPTION AND ADDITIONAL INFORMATION)

Site Address: Tennis Courts at Batchwood Sports Centre Batchwood Hall Batchwood Drive St Albans Hertfordshire

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Ward: Redbourn **Parish:** ST MICHAEL

Constraints:
Source Protection Zones
Metropolitan Green Belt
Landscape Conservation Area
Area of Special Control for Advertisements

BACKGROUND

Site / Surroundings: The application site comprises existing tennis courts associated with the Batchwood Sports Centre, and is located within the Metropolitan Green Belt and Landscape Conservation Area.

Proposal: Planning permission is sought to remove four of the existing tennis courts (two normal-sized courts and two smaller-sized) and install four padel tennis courts, three of which would be covered with canopies, an associated club hut and covered social area.

Relevant Plan History:

5/2015/2422 - Variation of Condition 22 (opening hours) of planning permission 5/2013/1065 dated 11/06/2015 for New Tennis centre with six indoor and three outdoor courts, judo hall, multi use and conditioning gyms, community facilities, refurbishment of two squash courts, alterations to Garden Wall, water tank and pump house, cycle storage facilities and associated hard and soft landscaping (Withdrawn 10/03/2016)

5/2013/3128 - Replacement of the existing fire damaged Tennis Centre to provide six indoor training and practice courts, Judo facility, multi use and conditioning gyms, community facilities, refurbishment of existing squash courts building, improved cycle facilities, alterations to existing 'Garden wall', associated hard and soft landscaping including remarking of the existing external tennis courts to provide three full size and two mini tennis courts to meet with the Lawn Tennis Association requirements and roof mounted photovoltaic panels-part retrospective (Conditional Permission 12/02/2014)

5/2013/1065 - Variation of Condition 2 (approved plans) to allow minor material amendments comprising amended entrance frontage and foyer and reduced building volume, amended external materials, amended landscaping proposals to suit new internal finished floor levels with amended external entrance ramp, stairs and cycle stand and amendment to external elevation of pump house, and Variation of Conditions 6 (hard and soft landscaping), 15

(garden wall) and 18 (cycle stands) to refer to the amended drawings and layout proposed, of planning permission 5/2012/2612 dated 2/01/2013 for New Tennis centre with six indoor and three outdoor courts, judo hall, multi use and conditioning gyms, community facilities, refurbishment of two squash courts, alterations to Garden Wall, water tank and pump house, cycle storage facilities and associated hard and soft landscaping (Conditional Permission 10/06/2013)

5/2012/2905 - Screening Opinion - New tennis centre and associated works (Environmental Statement NOT required 06/12/2012)

5/2012/2612 - New Tennis centre with six indoor and three outdoor courts, judo hall, multi use and conditioning gyms, community facilities, refurbishment of two squash courts, alterations to Garden Wall, water tank and pump house, cycle storage facilities and associated hard and soft landscaping (Conditional Permission 02/01/2013)

5/2011/3131 - Variation of Condition 2 (dismantling of air hall) of planning permission 5/2002/0572 dated 11/03/2002 for erection of temporary air dome to cover three existing external tennis courts with ancillary stores (resubmission following withdrawal of 5/2002/0387) (Conditional Permission 08/03/2012)

5/2010/1961 - New tarmac surface to car park (Conditional Permission 02/11/2010)

5/2002/0572 - Erection of temporary air dome to cover three existing external tennis courts with ancillary stores (resubmission following withdrawal of 5/02/0387) (Conditional Permission 07/05/2002)

5/2002/0387 - Erection of temporary air dome to cover four existing external tennis courts with ancillary stores (resubmission following refusal of 5/01/0151) (Withdrawn 20/03/2002)

PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

The development plan is the St Albans District Local Plan Review 1994.

The National Planning Policy Framework (NPPF) is also a material consideration.

Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraphs 231 and 232 of the NPPF reads as follows:

The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.

However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The degree of consistency of the Local Plan policies with the framework will be referenced within the discussion section of the report where relevant.

The Local Plan was submitted, on 29th November 2024, to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Local Plan generally has limited weight in decision making at this time. The emerging policies have been considered but have limited weight in relation to the assessment of this application.

National Planning Policy Framework

St. Albans District Local Plan Review 1994:

POLICY 1 Metropolitan Green Belt

POLICY 9 Non-Residential Uses Within Residential Areas

POLICY 34 Highway Considerations in Development Control

POLICY 39 Parking Standards, General Requirements

POLICY 69 General Design and Layout

POLICY 80 Floodlighting

POLICY 91 Location of Leisure Facilities

POLICY 96 Medium Intensity Leisure Uses in the Green Belt

POLICY 104 Landscape Conservation

POLICY 106 Nature Conservation

Supplementary Planning Guidance/Documents:

N/A

REPRESENTATIONS

Publicity: 23/08/2024 and 21/11/2024 **Expiry Date:** 15/09/2024 and 14/12/2024

Notifications: A Site Notice was displayed on 23/08/2024. Additional information was received during the course of this application and the proposal description updated. The application was re-advertised accordingly and a new Site Notice was displayed on 21/11/2024.

A statutory consultation was undertaken. The owners/occupiers of the following addresses were notified of the proposal:

- Batchwood Cottage – Batchwood Hall, Batchwood Drive;
- Batchwood Hall, Batchwood Drive;
- Batchwood Hall Bowls Club – Batchwood Hall, Batchwood Drive;
- Batchwood Sports Centre – Batchwood Hall, Batchwood Drive;
- Gardeners Cottage – Batchwood Hall, Batchwood Drive;
- Nos. 27 and 38 Becketts Avenue.

Objections have been received from Batchwood Cottage and Gardeners Cottage. These may be summarised as follows:

- The development of the site in 1988 and 2014 represented a major change;
- The tennis centre buildings were built in this Green Belt location to the minimum acceptable distance from our home;
- Covering letter incorrectly states the site as being enclosed on its north east side by a wall;
- 22 metre distance to Gardeners Cottage is unclear and an inadequate buffer;
- Overbearing impact;
- Light and noise disturbance;
- Habitable room windows at Gardeners Cottage would be impacted;
- Inappropriate materials;
- Contrary to Paragraph 139 of the National Planning Policy Framework;
- Loss of outlook;
- Intensification of use;
- Covering letter states the tennis courts are poorly used but then states the padel tennis facility will not give rise to a material increase in activity at the site;
- SADC Environmental Health should be consulted;
- Light contour plan only relates to the proposed playing surfaces;
- Conditions should be imposed relating to light spill;
- Condition 22 of 5/2013/1065 limited the hours of use, these limitations should be applied to any permission for new development;
- Condition 19 of 5/2013/1065 should also be imposed;
- Proposal is contrary to Policy 91 of the Local Plan;
- Drawings 2404 PE1010 E and 2404 PP1030 G seem to indicate the two domed proposed structure will not cover three courts, there is concern that a third dome could be added with associated increase in noise and light pollution and overbearing impact;
- Grimthorpe Estate was built as a harmonious whole;
- Clock tower is of historic significance given it's connection to Big Ben;
- 9 metre high construction would obstruct view of Batchwood Hall;
- Detriment to view from north facing windows within Batchwood Hall;
- Poor quality of access roads and potholes.

No further representations from the above addresses had been received at the time of writing this report. Officer comment – the visual, amenity and Green Belt impacts are considered in the discussion below. Each application falls to be determined on its own merits and in line with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Representations in support of the application have been received from No. 28 Stewart Place, No. 49 Tansycroft, No. 17 Leghorn Crescent, No. 5 Nightingale Road, No. 1 St Andrews Drive, No. 12 Connaught Road, No. 15 Jersey Lane, No. 5 Ver Road, No. 74 Sandpit Lane, No. 158a Harpenden Road, Nos. 12 and 24 Albert Street, No. 45 Crosslands, No. 114 Folly Lane, No. 15 Barlings Road, No. 19 Glemsford Drive, No. 11 Wick Avenue, No. 15 Thornton Street, No. 67 Pondfield Crescent, No. 3 Camlet Way, No. 35 Garthland Drive, No. 16 Springfield Crescent, No. 11 Heronfield, No. 14 Dalton Street, No. 20 Netherfield Road, Nos.

4 and 43 Jennings Road, No. 50 Willow Way, No. 24 Seymour Road, Dove House Farm, No. 36 Chesterton Avenue, Windrush (Spring Road), No. 15 Oakfield Road, No. 9 Shafford Cottages (Redbourn Road), No. 20 Fryth Mead, No. 42 Salisbury Avenue, No. 20 Ragged Hall Lane, Flat 6 Hampton House (No. 34 Ware Road), No. 119 Watford Road, Nos. 57 and 109 Mortimer Crescent, No. 40 Ramsbury Road, No. 19 Church Grove, No. 37 Forge End, Ridgewood (George Street), No. 26 Lancaster Road, No. 6 Compton Gardens, No. 14a Townsend Drive, No. 14 Foxcroft, No. 12 Golden Lion Mews, No. 12 Chalkdell Fields, No. 13 Jameson Road, No. 16 Scholars Court, No. 46 Ladies Grove, No. 7 Opus House (Charrington Place), No. 46 Portland Street, No. 31 Cunningham Hill Road, No. 7 Humberstone Road, No. 76 Culver Road, Apartment 6 (No. 6 Magdalen Court, Newsom Place), No. 41 Partridge Road, No. 52 Noke Shot, No. 30 Ashdales, No. 28 Sycamore Close and No. 186 London Road. These may be summarised as follows:

- Current padel tennis courts are busy and have limited availability;
- Covered and lit padel courts would be hugely beneficial;
- Important for community;
- Low impact nature makes it a great option for fitness enthusiasts;
- Promotion of a healthy lifestyle;
- Opportunity to partake in sport all year round;
- This is the only padel provider in St. Albans;
- Beneficial for mental health;
- Fastest growing sport globally;
- Have not noticed any disruption to car park traffic;
- There are no or very minimal impacts on local traffic, sustainability or wildlife considerations;
- Padel is much easier to learn than other racket sports;
- Benefits NHS waiting lists;
- There are only a few padel tennis courts in Hertfordshire;
- Little or no environmental impact on local residents;
- Raises much needed funds for Batchwood;
- Floodlights are essential to make this valuable community amenity useful after dusk;
- Very enjoyable game for older people to play;
- A sociable game;
- Padel is not an all-weather sport.

Representations in support of the application have also been received from the following partial addresses: Kimberley Road, West Common Way, AL1 3NS, Culver Road and Wheathampstead. These may be summarised as follows:

- Support the proposal;
- Other nearest courts are in Bushey or Broxbourne.

No further representations had been received at the time of writing this report. Officer comment - The comments received in support are noted, the report below considers the acceptability of the proposed development from a planning perspective.

<u>OFFICER COMMENT</u>:

Two padel tennis courts and floodlighting were noted as having been installed within the application site at the time of site visit. These do not benefit from the grant of planning permission and are not in the same position as those which are proposed under this planning application. This planning application is therefore not considered to be part-retrospective in nature. At the time of site visit, the floodlighting was stated as not being in use and this was corroborated at a later date by the agent for the application.

Town / Parish Council: St. Michael Parish Council – no comments received at the time of writing this report.

Consultations:

Estates Surveyor – no comments received at the time of writing this report.

Herts Ecology –

First response (28/08/2024):

"ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Overall Recommendation:

☒ *Application can be determined with no ecological constraints (with any conditions/informatives listed below).*

Summary of Advice:

- *There are no ecological constraints associated with this development.*

Supporting documents:

- *PEA (Arbtech, May 2024)*

Comments:

The site is situated in an ecologically important area, with ancient woodland and Local Wildlife Sites (LWS) in the vicinity. The proposals are restricted to developing the current tennis court. Given this, I do not consider there to be any ecological constraints associated with this development. This also reiterates the results in the submitted PEA (Arbtech, May 2024). Therefore, the application can be determined accordingly.

BNG: In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets:

1. *De-minimis exemption".*

OFFICER COMMENT:

Following the above response from Herts Ecology, clarification was sought from them as to whether they were aware the proposal included floodlighting, as this element was not included within the proposal description. The below response was received:

Second response (20/09/2024):

"I was not aware of this, so thanks for bring it to my attention. Because of the site being situated amongst various areas of woodland (both of which are LWSs), in light of this information, I consider it reasonable to advise that a Sensitive Lighting Scheme should be submitted as a Condition of approval.

Lighting should be designed to reduce glare and light spill on the adjacent woodland, and the scheme should also refer to timings of use (i.e. being switched off at nighttime).

This Sensitive Lighting Scheme should follow guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023), and be designed to minimise light spill, in particular directing light away from the adjacent woodland and boundary vegetation to ensure that dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites".

OFFICER COMMENT:

The applicant submitted a Sensitive Lighting Scheme in response to the above. Herts Ecology were re-consulted on this and provided the following response:

Third response (11/12/2024):

"ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Overall Recommendation:

☒ *Application can be determined with no ecological objections (with any informatives/conditions listed below).*

Comments:

A Wildlife Sensitive Lighting Strategy has now been submitted (Arbtech). This document includes information on light spill, lux levels, and timings/hours of use. I consider this document sufficient, and given that this has been submitted prior to determination, no further information relating to lighting is required as a condition of approval".

Herts Highways –

"Recommendation
Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

CONDITIONS
Construction Management Plan
No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:
a. Construction vehicle numbers, type, routing;
b. Access arrangements to the site;
c. Traffic management requirements
d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
e. Siting and details of wheel washing facilities;
f. Cleaning of site entrances, site tracks and the adjacent public highway;
g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
h. Provision of sufficient on-site parking prior to commencement of construction activities;

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

INFORMATIVES
AN1) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

COMMENTS
Batchwood Golf and Sports Club in accessed off Batchwood Drive, an un-numbered classified C road. A private driveway leads to the car park and buildings for the facility. St Albans City Bridleway 075 crosses the private drive but is not in the vicinity of the development proposals. The proposed development involves the replacement of tennis courts with padel facilities including a hut, seating and floodlighting. It is not considered that the development would lead to a significant change in the trips associated with the golf and sports club. The floodlighting would be a considerable distance from the nearest highway and would not raise any concerns in this respect. No objections are raised. It is recommended that a Construction Management Plan (CMP) is conditioned. The intent of the CMP would be to minimise disruption on the highway network during construction and seek to protect the safety of other road users".

<u>SADC Environmental Compliance</u> –

First response (13/09/2024):

"I think the applicant could have provided clearer information/illustration, regarding light spill in particular. Having reviewed the documents provided, I'm unclear that I have managed to extrapolate enough information to be satisfied that the light spill should not give rise to a light nuisance. I note 3 of the proposed 4 courts are under cover, and sit behind the bulk of existing buildings when viewed from Gardeners Cottage. However, the proposed 4th court, closest to the remaining tennis court, is not. This 4th court potentially has the greatest impact on Gardeners Cottage some 22 meters away regarding both light spill and noise. I'm not familiar with padel tennis but it has been compared to both tennis and squash so the 'new noise' of ball on glass wall (or wire mesh?) in addition to padel and ball may also be a consideration. I'd like to understand what the 4th 'open court' would actually consist of and its relationship to Gardeners Cottage further. I'm back in work on Weds and will try to catch you then to discuss. I may need the applicant to provide clearer illustration of this in the absence of a light spill contour map. If, in the meantime, you'd like to email me anything you think might assist me, please do".

Second response (20/09/2024):

"I don't know if you've been to site yet but what I'm after is an accurate plan of what's proposed which highlights the situation and relationship between the open end court (in particular) and Gardeners Cottage. This should illustrate the distance the proposed court (s) will overhang the bulk of the blueish buildings that surround the application site and also the 9m lighting column. I'd also like clarification on what is to contain the balls within the end,

open court. I've not had time to go back to check as yet but believe chain link may have been indicated? An illustration of these details, ideally overlaid on the remaining two tennis courts (which accurately reflects the position of Gardeners Cottage) is required to assess if further lighting/noise detail is needed".

Third response (12/12/2024):

"I have reviewed both the noise and lighting documents supplied. We will accept the findings contained within both documents and raise no further concerns".

Sport England –

First response (05/08/2024):

"Thank you for consulting Sport England on the above application. I can confirm that the consultation has been received and was accepted on 05/08/2024.

In accordance with Paragraph 011 of NPPG (Article 22 of the Development Management Procedure (England) Order 2015), Sport England will respond to this consultation within 21 days of the date of acceptance.

However, if insufficient information is received in order to allow us to make a substantive response to the consultation, Sport England will contact you to request further information. The 21 day deadline will not commence until receipt of the additional information.

As a public body, Sport England is subject to the terms of the Freedom of Information Act 2000, which gives members of the public the right to access the information we hold. In the event of a request being received, we will be obliged to release information relating to the application and our response unless an exemption in the Act applies. You should therefore inform us if you believe any elements of your submission to be confidential or commercially sensitive so that we can take your concerns into account.

If you would like any further information or advice please contact the undersigned at the address below".

Second response (15/08/2024):

"Thank you for consulting Sport England on the above application.

Sport England's Position
Sport England is supportive in principle of the planning application.

Sport England – Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Further advice is provided in Sport England's Planning for Sport guidance which can be found here: https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/.

The Proposal and Assessment against Sport England's Objectives and the NPPF

The proposal principally involves converting two of the three tennis courts at Batchwood Golf and Sports Club to four padel courts, of which three would be covered by a canopy to allow all year use.

St Albans City & District Council assessed local needs for sports facilities in their Playing Pitch Strategy (2023). This assessment did not assess the need for padel courts. In relation to tennis courts, the assessment identified that the tennis courts on the Batchwood Golf & Sports Club site were good quality at the time the audit was undertaken and that most tennis clubs in the district were operating above the recommended Lawn Tennis Association (LTA) capacity guidelines. The strategy and action plan recommended that the courts be protected, that their quality be sustained and opportunities to provide floodlighting be considered.

In this context, I have therefore consulted with the LTA, the governing body for both padel and tennis, for their feedback on this proposal. The LTA has provided the following advice:

- *The LTA's data suggest that there is potentially 2,222 padel players in St Albans district compared to 4,444 for tennis. This represents a very high level of demand for both padel and tennis. While the Playing Pitch Strategy identifies that there are 128 tennis courts that are available for community use in the district, the LTA has advised there are currently only 2 padel courts.*
- *While the LTA do not like to see the loss of any tennis courts, in view of the historic usage of these outdoor tennis courts, the strategic change of direction of the new operators of the Batchwood Golf & Sports Club site, the demand for padel courts in the area and the success of the initial 2 pop up padel courts that opened in the district, the reasoning for this proposal is understood. The proposal would maximise the commercial opportunity of the demand for padel and make the wider site more sustainable, ultimately safeguarding the remaining tennis courts at the club site.*
- *The design of the padel courts would meet the LTA's 'Padel Guidance Note' which can be downloaded from the LTA's website https://www.lta.org.uk/roles-and-venues/venues/tennis-padel-facility-funding-advice/ and includes guidance on covered courts if the design of the courts is relevant to the assessment of the application.*

Sport England's position

In view of the above considerations, there would appear to be a clear need for additional padel courts in St Albans district that the proposal could help meet. While there would be a loss of tennis courts, the proposal would help with the financial sustainability of the remaining tennis offer on the site and unlike padel there is a wider range of alternative tennis courts facilities in the district. Furthermore, as the majority of the padel courts would be covered this would offer all year use for participants unlike the tennis courts which are not covered or floodlit. I can therefore advise that Sport England is supportive of the principle of the development because the proposals would be considered to accord with Principle 6 of Sport England's Planning for Sport guidance which relates to supporting improvements to existing facilities where they are needed.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

If you would like any further information or advice please contact me".

DISCUSSION

Main Issues:

The main issues for consideration as part of this application are:

- Principle of development;
- Impact on openness;
- Character and appearance of the area;
- Impact on facilities for outdoor sport and recreation;
- Amenity of neighbouring occupiers;
- Ecology;
- Car parking and highway safety;
- Biodiversity Net Gain (BNG).

Principle of Development

The site lies within the Metropolitan Green Belt, wherein there is a presumption against inappropriate development as set out in central Government guidance in the National Planning Policy Framework (NPPF), and in Policy 1 of the St. Albans District Local Plan Review 1994.

Under Policy 91 of the St. Albans District Local Plan Review 1994, the proposals can be considered as a 'Type B' Medium Intensity Use where there is a policy presumption in support of such uses within the Green Belt. However, this is subject to meeting the criteria identified within Policy 96 (Medium Intensity Leisure Uses within the Green Belt) relating to matters of residential amenity, highways, and ecology. Policy 91 additionally states that within landscape conservation areas, Type B uses will normally be permitted if they conform to Policy 104.

Paragraphs 154 and 155 of the NPPF set out the circumstances where development in the Green Belt is not considered to be inappropriate. Of relevance to the proposed development is the following:

154 b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

Whilst the Local Plan was adopted some time ago, it is considered that much of Policy 1 does conform to the provisions contained within the NPPF. Principally, this is in regard to inappropriate development being unacceptable in the Green Belt except in very special circumstances. Some of the exceptions to inappropriate development in the Green Belt listed in Policy 1 of the Local Plan are more restrictive than, and not as comprehensive as, those set out under Paragraphs 154 and 155 of the NPPF. Therefore, whilst Policy 1 is not wholly up-to-date, it is considered that weight can duly be afforded to Policy 1 of the Local Plan insofar as it is consistent with the NPPF.

For reference, the Green Belt purposes are set out at Paragraph 143 of the NPPF as follows:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The application site comprises five existing open-air tennis courts which are able to be accessed via the Sports Centre and separately via a gate and footpath from the car park. Planning permission is sought to remove four of the existing tennis courts (two normal-sized courts and two smaller-sized courts) and install four padel tennis courts on existing

hardstanding, three of which would be covered with canopies, an associated club hut and covered social area.

The proposed padel courts each measure 20m in length and 10m in width with walls made of reinforced glass at a height of c. 3m. Covering three of the four proposed padel courts, the canopies would measure approx. 9m in height and be constructed from a steel structure with a fabric roof cover and wire mesh to their sides. The floodlighting columns would measure c. 6m in height from ground level and be positioned within the four corners of each court. The club hut would be pre-fabricated in nature and the covered social area would be constructed from timber. While canopies would cover some of the courts, the courts would still be located outside and the canopies and covered social area utilised to support the playing of the sport in times of inclement weather. Furthermore, the club hut would be utilised for light refreshments and secure storage related to the use of the site for padel tennis.

The works may be considered to fall within the "*small scale facilities for participatory sport and recreation*" allowed for under Local Plan Policy 1, and noting the site context adjacent to other larger sports facilities it would not materially conflict with the Green Belt purposes. However, it is not considered that, when considered cumulatively, they would "*preserve the openness of the Green Belt*" as required under the aforementioned NPPF exception relating to appropriate facilities for outdoor sport.

Therefore it is considered to represent inappropriate Green Belt development where 'very special circumstances' would need to exist for it to be approved; and as set out in Paragraph 153 of the NPPF these will only exist where harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposed development, is clearly outweighed by other considerations.

In order to ascertain whether the required 'very special circumstances' (VSC) exist, it is useful to first consider 'other harm resulting from the proposal', then to assess 'other considerations' that may weigh in favour of the proposal. These are discussed in the following sections of this report, and inform the balancing exercise of total harm (including harm by way of inappropriateness) weighed against other considerations.

<u>Green Belt Openness</u>

The National Planning Practice Guidance (NPPG) sets out:

"Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation".*

The padel tennis courts with their associated canopies and structures would be located closest to the existing built form provided by the leisure centre and appear to have been sited so as to minimise their impact upon openness. Such an impact is further minimised by the transparent glass walls of the courts and mesh sidings which would be lightweight both in form and appearance. While noted, the impact of the glass walls would have some limited impact on Green Belt openness when considered spatially. The canopies would be lower than the existing roof form of the leisure centre and partially screened by it, although cumulatively cover a footprint of c. 790m2 and are raised above ground by 9m. While

partially screened, they would be visible from adjacent sites and would lead to some harm both visually and spatially to Green Belt openness in this location. Only limited additional impact on the openness of the Green Belt is caused by the club hut and covered storage area when noting their siting in relation to the existing leisure centre.

Matters relating to degree of activity and traffic generation are considered further below, but would not materially add to the harm to Green Belt openness.

Noting the above, by reason of the cumulative impact of the proposed built form at the site, some additional harm (over and above the 'in principle' harm of inappropriate development in the Green Belt) is identified in relation to impacts on the openness of the Green Belt.

Character and Appearance

The NPPF advises that planning should 'ensure that developments are "*visually attractive as a result of good architecture, layout and appropriate and effective landscaping*" and "*create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*" (Paragraph 135), that "*good design is a key aspect of sustainable development, [which] creates better places in which to live and work and helps make development acceptable to communities*" (Paragraph 131) and advises "*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes*".

Policy 80 (Floodlighting) of the St. Albans District Local Plan Review 1994 states that planning permission should not be granted where "(i) *the visual impact of floodlighting columns, the intensity of lighting, or glare would detract from the character or amenity of a) residential properties, b) rural areas or c) listed buildings and conservation areas*".

Policy 80 also requires that floodlighting should not "*(ii) enable an undue intensification or extension of the use of a sports or similar facility to the detriment of the amenity of a residential area or the character of a rural area*".

No in-principle design-related objection is raised to the installation of padel tennis courts in this location when noting the existing use of the site as tennis courts for the leisure centre. As outlined within previous sections of the report, the glass walls of the courts would be lightweight in appearance and are considered to appear as appropriate additions within the context of the leisure centre complex. The canopies would be relatively tall in height at c. 9m and while their form would be utilitarian in appearance, their materials comprising a steel structure, canvas fabric roof cover and wire mesh sides do not raise significant design-related concern in such a location. The floodlights measure approx. 6m in height and are necessary to enable the use of the site for outdoor sport in darkness. They are not unusual additions to a leisure centre location such as this and their visual impact is not considered to detract from the character and appearance of the area. The impact of the proposal upon residential amenity is considered within the forthcoming sections of the report below.

The application site is located within Landscape Conservation Area 1, Upper Lea Valley, Childwickbury and Gorhambury. Policy 104 (Landscape Conservation) of the St. Albans District Local Plan Review 1994 states, "*in these areas, the Council will not grant permission for any development that would adversely affect the high landscape quality. Permission will be granted only for development proposals which pay regard to the setting, siting, design and external appearance"*. The development is not considered to cause significant harm to the landscape quality of the area when noting its proximity and relationship to existing built form, boundary treatments and vegetation within the vicinity of the application site.

Impact on Facilities for Outdoor Sport and Recreation

The application proposes the loss of four of the existing tennis courts (two normal-sized courts and two smaller-sized). Sport England have been consulted on the application and note the Council's Playing Pitch Strategy (2023) did not assess the need for padel courts within the District. The assessment identified the tennis courts at the site to be of good quality, however identified that most tennis clubs within the District were operating above the recommended Lawn Tennis Association (LTA) capacity guidelines. The strategy recommended that the courts be protected, their quality be sustained and opportunities to provide floodlighting considered. Sport England consulted with the LTA who are the *governing body for both padel and tennis, and they provided the following feedback:*

- *"The LTA's data suggest that there is potentially 2,222 padel players in St Albans district compared to 4,444 for tennis. This represents a very high level of demand for both padel and tennis. While the Playing Pitch Strategy identifies that there are 128 tennis courts that are available for community use in the district, the LTA has advised there are currently only 2 padel courts.*

- *While the LTA do not like to see the loss of any tennis courts, in view of the historic usage of these outdoor tennis courts, the strategic change of direction of the new operators of the Batchwood Golf & Sports Club site, the demand for padel courts in the area and the success of the initial 2 pop up padel courts that opened in the district, the reasoning for this proposal is understood. The proposal would maximise the commercial opportunity of the demand for padel and make the wider site more sustainable, ultimately safeguarding the remaining tennis courts at the club site.*

- *The design of the padel courts would meet the LTA's 'Padel Guidance Note' which can be downloaded from the LTA's website https://www.lta.org.uk/roles-and-venues/venues/tennis-padel-facility-funding-advice/ and includes guidance on covered courts if the design of the courts is relevant to the assessment of the application".*

Sport England conclude that there would appear to be a clear unmet need for additional padel courts within the District and that the proposal could assist in that regard. The loss of the tennis court facilities is noted, however the proposed development would assist in supporting the financial sustainability of the remaining tennis on offer at the site and there would be a wide range of alternative tennis facilities available in the District. Sport England state they consider the proposal to accord with Principle 6 of their Planning for Sport guidance which relates to supporting improvements to existing facilities where they are needed.

<u>Amenity of Neighbouring Occupiers</u>

Paragraph 135 (f) of the NPPF states planning policies and decisions should ensure that developments "*create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users*".

Policy 96 (Medium Intensity Leisure Uses in the Green Belt) of the St. Albans District Local Plan Review 1994 sets out that proposed leisure uses should have an acceptable impact on the residential amenity of neighbouring occupiers. It states "*proposals shall not be visually intrusive, detrimental to the amenity of residential property, impinge upon ecologically sensitive areas or present a hazard to the users of highways, public rights of way or cycleways"*.

The nearest residential dwellings to the application site are Gardeners Cottage and Green Keepers Cottage. The rear amenity space of Gardeners Cottage currently backs onto the tennis courts and was noted as being separated by a chain-link fence at the time of site visit and storage compound area as per the submitted plans.

Policy 80 (Floodlighting) of the St. Albans District Local Plan Review 1994 states that planning permission should not be granted where "*(i) the visual impact of floodlighting columns, the intensity of lighting, or glare would detract from the character or amenity of a) residential properties, b) rural areas or c) listed buildings and conservation areas*". The policy also requires that floodlighting should not "*(ii) enable an undue intensification or extension of the use of a sports or similar facility to the detriment of the amenity of a residential area or the character of a rural area*".

SADC Environmental Compliance were consulted on this application and initially raised concerns in respect of light and noise nuisance. The applicant has, in response, submitted a noise impact assessment makes an overall prediction for all four proposed padel courts to be in use at the same time. The document confirms the resulting sound pressure level closest to Gardeners Cottage to be below the levels as set out within the Artificial Grass Pitch (AGP) Acoustics – Planning Implications guidance produced by Sport England. The noise impact assessment confirms sound levels from all four proposed courts would be within acceptable limits at the nearest residential dwelling, even when used simultaneously. Light spill information has also been submitted in response to the concerns.

SADC Environmental Compliance have reviewed these documents and raise no objection, providing the following comment:

"I have reviewed both the noise and lighting documents supplied. We will accept the findings contained within both documents and raise no further concerns".

In the event of an approval, it is considered reasonable and necessary to impose a condition restricting the use of the facility and associated floodlighting to 0800 hours to 2200 hours on Mondays to Fridays inclusive, 0700 hours to 1900 Hours on Saturdays, 0700 hours to 1900 hours on Sundays, and 1000 hours to1800 hours on Public Holidays.

Such conditions are imposed in the interests of ensuring neighbouring residential amenity is not unduly impacted by the proposal. In light of the above, it is not considered that the development would give rise to significant adverse impacts on the occupants of neighbouring properties when compared to the existing situation in this case.

Ecology

Paragraph 187 of the NPPF states planning policies and decisions should "*contribute to and enhance the natural and local environment by… minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs"*.

Policy 106 (Nature Conservation) of the St. Albans District Local Plan Review 1994 sets out that the Council will take account of ecological factors when considering planning applications, which is in-line with the aims of the NPPF.

Herts Ecology were consulted on the application, initially raising no objection to the proposed development. The response noted the submitted Preliminary Ecological Assessment (PEA) and commented that the site was located within an ecologically important area when noting its proximity to ancient woodland and Local Wildlife Sites. Following on from this, clarification was sought from Herts Ecology as to whether they were aware that the proposal included floodlighting, as this element was not included within the proposal description. An updated response was then received which confirmed that they were not aware and requested a Bat Sensitive Lighting Scheme be secured by way of a suitably worded planning condition, in-line with guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023). The applicant then submitted this document up-front as part of the current application, with Herts Ecology reviewing it and providing the following response:

"This document includes information on light spill, lux levels, and timings/hours of use. I consider this document sufficient, and given that this has been submitted prior to determination, no further information relating to lighting is required as a condition of approval".

Car Parking and Highway Safety

The site is accessed via a shared access road off Batchwood Drive with a one-way arrangement in place for vehicular traffic. As per a recent application at Batchwood Hall (5/2024/0483) two car parks are provided within the vicinity of the leisure centre, the first containing 192 parking spaces and the second providing 56 parking spaces. There is no specific car parking allocation for the use of the leisure centre, with car parking being provided on a first come first served basis.

The development proposals represent provision of four padel tennis courts, three of which would be covered with canopies, floodlighting and an associated club hut with covered social area. While the proposal would, when considered cumulatively, represent additional facilities, with corresponding levels of usage, it would not – in the view of the Highway Authority – "*lead to a significant change in the trips associated with the golf and sports club*". Adequate car parking facilities are considered to existing to contain any parking demand which would be associated with the proposed development.

The Highway Authority does not wish to raise objection to the proposal subject to the inclusion of a planning condition relating to the submission of a Construction Management Plan. Such a condition is considered to be necessary when noting the leisure centre shares an access road with several other properties and there is potential for access along this route to be disrupted unless managed appropriately.

Biodiversity Net Gain (BNG)

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply.

Very Special Circumstances

As set out within the previous sections of this report, the development is found to constitute inappropriate development within the Green Belt. Paragraph 153 of the NPPF explains that inappropriate development is by definition harmful to the Green Belt, and should not be approved unless very special circumstances exist. Substantial weight, in accordance with Paragraph 153 of the NPPF, should be afforded to any harm to the Green Belt caused by development. Very special circumstances (VSC) will only exist where harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposed development, is clearly outweighed by other considerations.

The VSC test is a high test and one which is normally associated with public benefit. Taking account of the previous discussion, it is considered that there would be some limited harm

caused to Green Belt openness as a result of the development, in addition to the in-principle harm caused by inappropriateness.

It is, however, considered that other considerations may exist to cumulatively represent VSC to justify the approval of inappropriate development within the Green Belt in this case. The proposal, while partially screened, would lead to some harm both visually and spatially to Green Belt openness in this location. The provision of canopies would however allow for the padel tennis courts to be utilised year-round in times of inclement weather and their vaulted design with predominantly open sides would represent limited built form which is lightweight in appearance and located close to existing built form provided by the leisure centre. The proposal is also recognised as possessing the potential to increase accessibility to sport and improve the mental and physical health of users. Sport England are supportive of the proposal (and liaised with the Lawn Tennis Association (LTA) as part of their response), with Sport England noting that LTA data suggests there are potentially 2,222 padel players in the District when compared to 4,444 for tennis. This represents a very high level of demand for both padel and tennis. However, while 128 existing tennis courts are identified within the Council's Playing Pitch Strategy for community use in the District, the LTA advise that there are currently only 2 padel courts within the District. The padel tennis courts are also located within close proximity to existing public parking provision and have a close relationship to existing sporting facilities provided at the leisure centre.

Taking the above into account it is considered that very special circumstances exist in this case to justify approval of inappropriate Green Belt development.

Planning Balance

As directed by the NPPF, substantial weight is given to the harm to the Green Belt by reason of inappropriateness. Taking account of the above discussion, some limited additional weight is given to the 'other harm resulting from the proposal' in terms of impacts on Green Belt openness in both spatial terms and in visual terms. There would be no additional undue impact on neighbouring residents, ecology, highway safety and parking subject to condition. In terms of 'other considerations' that weigh in favour of the proposal, significant weight is given to the community and sporting benefits that would result from the development, as set out above. The development is considered to be in-line with the guidance on promoting healthy communities as set out within Section 8 of the NPPF, in particular Paragraphs 96 a) and c) which set out planning decisions should "*aim to achieve healthy, inclusive and safe communities which a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other and c) enable and support healthy lives, through both promoting good health and preventing ill-health*".

Taking the assessment as set out above into account, the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is considered to be clearly outweighed by other considerations. Accordingly, in line with Paragraph 153 of the NPPF and Policy 1 of the St. Albans District Local Plan Review 1994, it is considered that very special circumstances exist in this case to justify approval of inappropriate Green Belt development, and that conditional permission can be granted in this case.

Comment on Town / Parish Council / District Councillor / Concern(s): N/A

REASONS FOR GRANT

It is considered that, subject to conditions, this proposal is acceptable. Very Special Circumstances are considered to exist in this case to justify the grant of planning permission in the Green Belt, and it is not considered that there would be any unacceptable harm to the Landscape Conservation Area. The proposed use is not considered to cause unacceptable harm to the amenities of neighbouring residents, specifically in terms of light and noise disturbance. The proposal is not considered to result in an adverse impact on ecology, highway safety or have a requirement for additional car parking. Taking into account the information submitted in support of the application, and the conditions herein proposed, the

proposed development is considered to be in accordance with the aims of Policy 1 (Metropolitan Green Belt), Policy 9 (Non-Residential Uses Within Residential Areas), Policy 34 (Highway Considerations in Development Control), Policy 39 (Parking Standards, General Requirements), Policy 69 (General Design and Layout), Policy 80 (Floodlighting), Policy 91 (Location of Leisure Facilities), Policy 96 (Medium Intensity Leisure Uses in the Green Belt), Policy 104 (Landscape Conservation) and Policy 106 (Nature Conservation) of the St. Albans District Local Plan Review 1994 and the relevant provisions of the National Planning Policy Framework 2024.

EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to Articles 1, 6, 8, 9, 10 and 14 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty.

The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

It is considered that the decision has had regard to this duty. The development would not conflict with either St Albans City and District Council's Equality Policy and would support the Council in meeting its statutory equality responsibilities.

RECOMMENDATION: Conditional Permission **Decision Code:** A1

Conditions/Reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: DNG Nos. PP1010 Rev. B, PP1032, PE1010 Rev. E, PE1011 Rev. E, PP1030 Rev. G, PS1010 Rev. C and LP0001.

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

3. The external surfaces of the development hereby permitted shall be constructed only of materials, the type and colour of which match exactly those of the existing building or as otherwise specified within the application form and / or approved plans.

To ensure that the finished appearance of the building is satisfactory. To comply with Policy 69 of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024.

4. The facility hereby permitted shall not be open to customers and associated floodlighting shall not be used outside the following times: 0800 hours to 2200 hours

on Mondays to Fridays inclusive, 0700 hours to 1900 Hours on Saturdays, 0700 hours to 1900 hours on Sundays, and 1000 hours to 1800 hours on Public Holidays.

In the interest of neighbouring amenity. To comply with Policies 9 and 80 of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024.

5. The development hereby permitted shall be carried out in accordance with the Light Spill Document 'PADEL STUDIO F4723-8PCS' received 23/10/2024.

In the interest of neighbouring amenity. To comply with Policies 9 and 80 of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024.

6. The development hereby permitted shall be carried out in accordance with the Preliminary Ecological Appraisal by Arbtech received 03/06/2024.

In the interest of avoiding unacceptable harm to ecology. To comply with Policies 74 and 106 of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024.

7. The development hereby permitted shall be carried out in accordance with the Wildlife Sensitive Lighting Strategy by Arbtech received 18/11/2024.

In the interest of avoiding unacceptable harm to ecology. To comply with Policy 106 of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024.

8. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:
a. Construction vehicle numbers, type, routing;
b. Access arrangements to the site;
c. Traffic management requirements
d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
e. Siting and details of wheel washing facilities;
f. Cleaning of site entrances, site tracks and the adjacent public highway;
g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
h. Provision of sufficient on-site parking prior to commencement of construction activities.

In order to protect highway safety and the amenity of other users of the public highway and rights of way. To comply with Policy 34 of the St. Albans District Local Plan Review 1994 and the National Planning Policy Framework 2024.

9. Biodiversity Gain Condition

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be St Albans City and District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply:

Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric)

Informative(s):
1. This determination was based on the following drawings and information: Site Location Plan, Covering Letter and Preliminary Ecological Appraisal by Arbtech received 03/06/2024, Application Form received 17/06/2024, Ficha Technica Data Sheet received 18/06/2024, DNG Nos. PS1010 Rev. C, PE1000, PE1001, PE1010 Rev. E, PE1011 Rev. E, PP1010 Rev. B, PP1030 Rev. G and PP1032 received 11/07/2024, PISTAS PADEL document received 17/07/2024, Light Spill Document 'PADEL STUDIO F4723-8PCS' received 23/10/2024, Planning Noise Assessment Report by NSL Noise Solutions Ltd received 08/11/2024 and Wildlife Sensitive Lighting Strategy by Arbtech received 18/11/2024.

2. The Local Planning Authority has been positive and proactive in its consideration of this planning application suggesting improvements to the development during the course of the application. The applicant submitted amended plans resulting in a form of development that improves the economic, social and environmental conditions of the District.

3. The applicant is advised to ensure that necessary Building Regulation approval is obtained before commencing this development.

St Albans District Council's Building Control Department can be contacted on 01727 819289 or 01727 819218.

4. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

5. The applicant's attention is drawn to the Party Wall Etc. Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

6. The applicant is requested to ensure no damage is caused to the footpath and highway verge during the course of the development. Any damage should be repaired to the satisfaction of Hertfordshire Highways.

7. The applicant is advised that during the construction of the development hereby granted, that all materials should be stored within the application site. In the event of it not being possible to store materials on site; and materials are to be stored outside the site and on highway land the applicant will need to obtain the requisite approval of the Highway Authority. A licence is required to store materials on the Highway under the Highways Act 1980 Section 171 to Hertfordshire Highways. You must first obtain a licence from Hertfordshire County Council before depositing building materials on any part of the highway which includes all verges, footways and carriageways. Hertfordshire County Council may prosecute you if you fail to obtain a licence or breach a condition of a granted licence for which the maximum fine on conviction is £10 for each day the contravention continued. Hertfordshire County Council may also take legal action to recover any costs incurred

including the costs of removing and disposing of unauthorised building materials deposited on the highway. To apply for a Licence please contact Highways, PO Box 153, Stevenage, Herts SG1 2GH or cschighways@hertfordshire.gov.uk

8. Under the Control of Pollution Act 1974, the applicant is advised that no demolition or construction works relating to this site and development should be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any days, nor on any Saturday before 08.00 hours or after 13.00 hours

9. Remember - you are responsible for the legal and safe disposal of any waste associated with your project. In the event of your waste being fly tipped or otherwise disposed of illegally or irresponsibly, you could be held liable and face prosecution. If you give waste to anyone else ensure they are authorised to carry it. Ask for their carrier's authorisation. You can check online at https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers or by telephone 03708 506 506.

10. When carrying out these works please give utmost consideration to the impact during construction on the environment, neighbours and the public. Think about using a company to carry out the works who are registered under the Considerate Constructors Scheme. This commits those registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

11. AN1) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

12. Biodiversity Gain Informative

If permission is granted to proceed in phases:

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.
Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun (Phase Plans).

Irreplaceable habitat:

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on

arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990:

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (""the earlier Biodiversity Gain Plan"") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:
i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition:

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value

greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A ""householder application"" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:
i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

More information can be found in the Planning Practice Guidance online at https://www.gov.uk/guidance/biodiversity-net-gain.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Officer	**George Kent**
Section 65 Parties	SLM Community Leisure Charitable Trust
Plans on website	http://planning.stalbans.gov.uk/Planning/lg/GFPlanningSearch.page?org.apache.shale.dialog.DIALOG_NAME=gfplanningsearch&Param=lg.Planning

Author: George Kent Date: 17/12/2024

Appendix E – Roehampton Club Committee Report (LB Wandsworth, ref: 2019/4940)

Committee Date:	23/042020		
Item No.			
Site Address:	Roehampton Club Roehampton Lane SW15 5LR		
Application Number:	2019/4940	Date Validated:	13/11/2019
Ward:	Roehampton and Putney Heath	Officer:	Daniel Piercy
Application Type:	Application for Full Permission		
Proposal:	Alterations including the removal of 2 x existing mini tennis courts and the installation of 2 x padel/ mini tennis courts and 1 x mini tennis court; erection of 2 x padel court enclosures with extended framework supporting LED floodlighting; installation of a canopy roof over one padel court.		
Recommendation Summary:	**Approve with Conditions**		

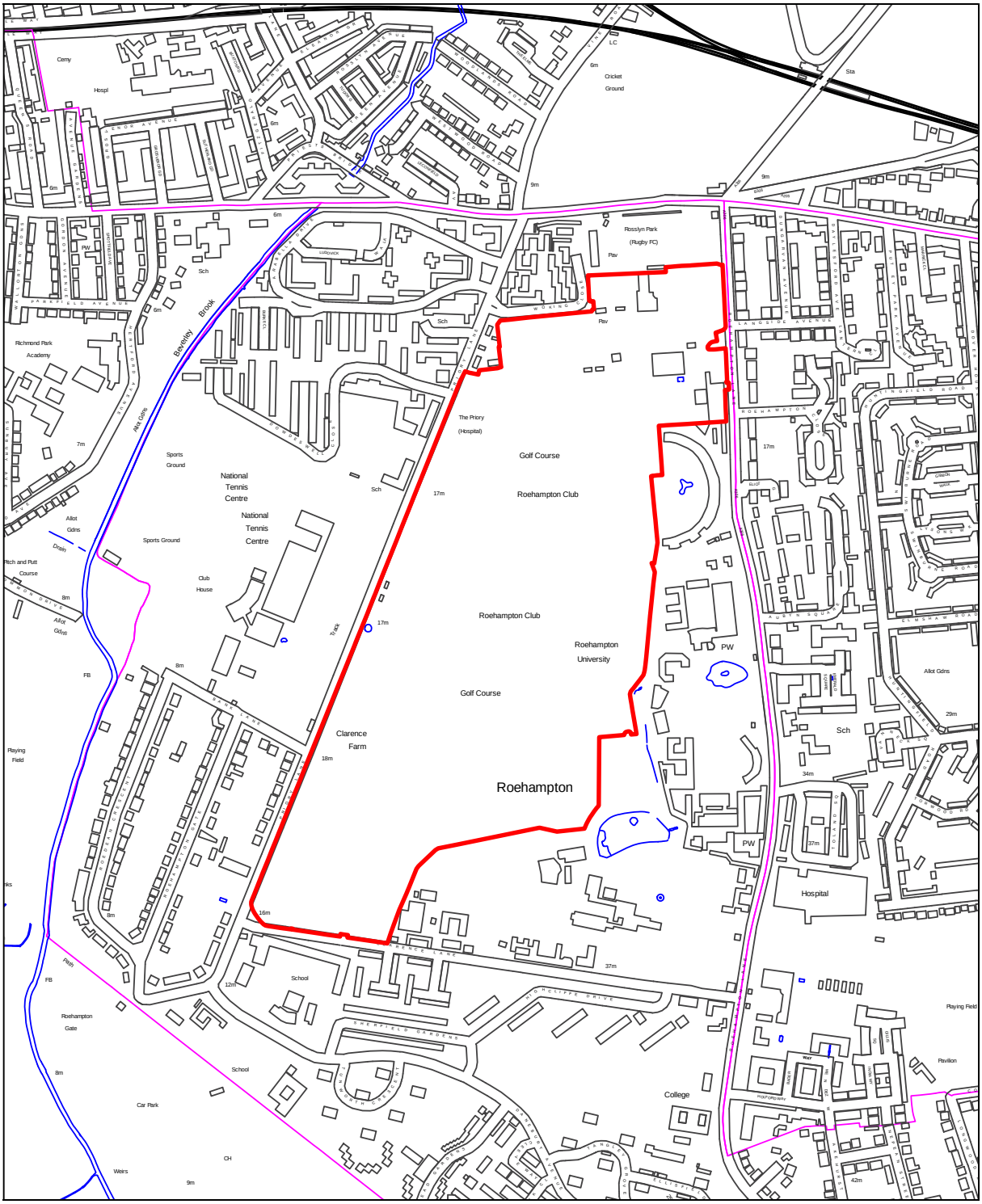
SITE DETAILS:
The Roehampton Club is a 39ha private members club which is bounded by Rosslyn Park Rugby Club to the north, the Grade II listed Fairacres and University of Roehampton to the east and south east, Clarence Lane to the south and Priory Lane to the west. The majority of the site is covered by an 18-hole golf course which is located to the south. A collection of buildings and tennis courts are located to the north of the site.

This application relates to area which is located to the north of the Roehampton Club adjoining Fairacres. The area currently includes 2 x mini tennis courts and a children's play area. The tennis courts cover an area of 332sqm and they are enclosed by a 2.4m high fence.

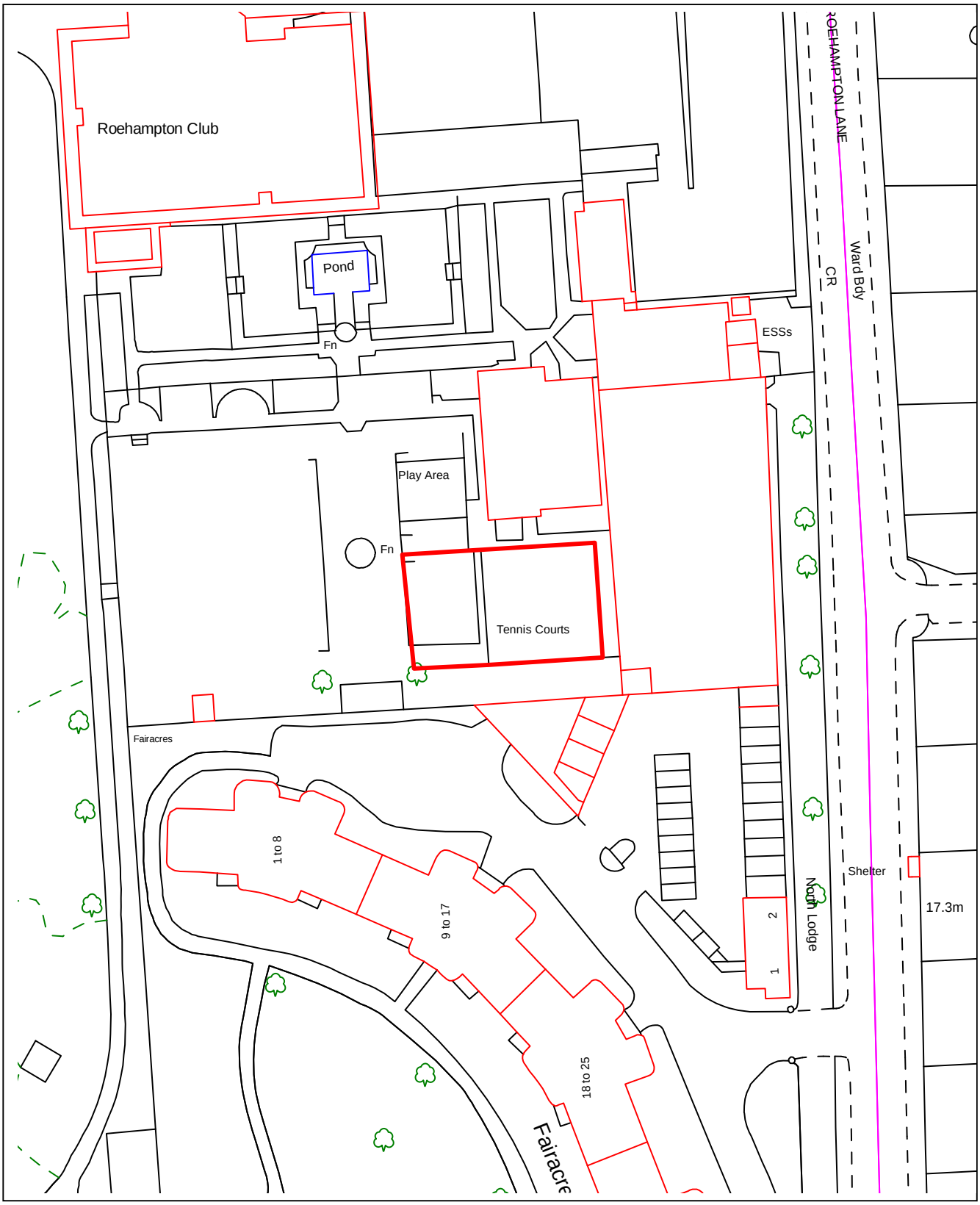
Historic England describes Fairacres in its listing entry as being a four-storey block of 64 flats built in the mid-thirties. Modern in style but traditional in construction - solid brick walls - chosen for insulation against noise. Eight blocks 1-4-1 (projecting end bays have curved corners) arranged to a semi-elliptical plan, with a tapering entrance hall leading to a circular stair at the angle between each block. Brick balconies link the blocks at the upper levels. Metal casement plate glass windows. The only significant modern alterations are to the entrances which have modern doors with mosaic tile surrounds. There are glazed canopies at roof level over each entrance end set of balconies.

A garage is sited within the curtilage of the listed building immediately which adjoins the boundary wall to the south.

The site is within Metropolitan Open Land and a Designated Linear View (King Henrys Mount to St Pauls Cathedral).



Wandsworth	**Application No:** 2019/4940 **Address:** Roehampton Club Roehampton Lane SW15 5LR	**Scale:** **1:876**	**N**



Wandsworth

Application No:
2019/4940

Address:
Roehampton Club Roehampton Lane SW15 5LR

Scale:
1:876

N

REASON FOR REFERRAL:
The application is referred to PAC by reason of the following section of the paper Scheme of 'Delegations to the Assistant Director, Planning &Transport':
(5) (f) free-standing structures with a total height in excess of 5m with 3 or more objections.

CONSTRAINTS:
Group TPO
All Metropolitan Open Land
Archaeological Priority Area

RELATED PLANNING APPLICATIONS:
The application site has an extensive planning history. The most recent and relevant applications are as follows:

August 2013 (2013/2990) p.p. granted: Alteration to existing veranda on the northern side of Roehampton Club building to provide new decking; installation of joists above existing servery; gates to the western elevation and extension of existing fascia and wall.

May 2014 (2014/1823) p.p. granted: Erection of southern extension to sports hall to provide championship standard squash court and multipurpose sports hall.

May 2016 (2015/7273) p.p. granted: Installation of flood lighting to a block of three existing tennis courts and one croquet lawn.

APPLICATION DETAILS:
Alterations including the removal of 2 x existing mini tennis courts and the installation of 2 x padel/ mini tennis courts and 1 x mini tennis court; erection of 2 x padel court enclosures with extended framework supporting LED floodlighting; installation of a canopy roof over one padel court. One of three adjacent children's play areas will be removed to accommodate the proposed courts.

The three courts would cover an area of 600sqm. Courts 1 and 3 only would be enclosed.

Court 1 would be enclosed by a 4m high enclosure that would comprise laminated glass and green coloured powder coated steel fencing. This court would also benefit from a bowed canopy roof that would result in a total height of 8.6m. Court 3 would be enclosed by a 4m high enclosure that would also comprise laminated glass and green coloured powder coated steel fencing. This court would not include a roof.

The courts would be lit by 12 x flood lights that would be affixed to 8 x columns that would be integrated within the above means of enclosure. The lighting columns would measure up to 6m high. The floodlight lamps would be installed at an angle that would project artificial light downwards towards the court. They would have an illuminance level of 400.

Landscaping and Trees
The surfaces of the courts would be finished with artificial grass. The grass would be installed over a 65mm deep porous asphalt and 300mm deep aggregate foundation layer.

One Ginkgo Biloba tree which is located to the south of the existing play area would be felled to accommodate the proposed courts. A replacement Ginkgo Biloba tree would be planted to the west. The replacement tree would be 6 - 7m high when planted.

A row of 9 x pleached Cherry Laurel (prunus laurocerasus) trees would also be planted along the southern boundary with Fairacres. The 9 trees would be 3.4m high when planted.

An area of decking with benches would be installed to the south of the courts.

Community Infrastructure Levy CIL
On initial assessment this development is not considered liable for the Mayoral or Wandsworth CIL however this is subject to confirmation by the CIL Administration Team.

CONSULTATION:

Number of letters sent	
Site Notice	Yes
Press Notice	Yes
Number of responses received	51
Number of objections	42
Number of comments	0
Number of letters of support	9

Consultation Summary
Objections:
- The proposal may result in excessive noise disturbance and light glare;
- The submitted Padel Court is based upon one court only. A comparison is not appropriate;
- A similar proposal was refused permission in Bristol;
- A site in Ealing demonstrates the harm of floodlights;
- Elderly people live nearby who sleep during the day, the proposal will disturb them in particular;
- The courts should be located elsewhere as there is space within the grounds of the site. Near Rosslyn Park is suggested;
- The proposed hours of play are excessive. Play should not go beyond 9pm;
- If permission is granted, the use of one court at a time should be controlled
- The proposal will result in the loss of a ginkgo tree for a hornbeam which is not evergreen;
- The courts will harm the outlook from Fairacres. The existing boundary garage will not obscure views of the courts;
- The proposal will harm property values.

Support:
- The site is already being used for sport;
- The proposal will unlikely result in additional harm compared to the existing arrangement;
- The padel courts will cater to growing demand;
- The proposal will enhance the clubs attraction and diversity;
- Padel tennis is an inclusive sport and easy to pick-up;

- Noise concerns can be regulated.

Amenity Groups
Friends of Barnes Common (object):
- Evidence has not been submitted to confirm that there will be no biodiversity impacts. A bat survey should be undertaken.
- The impacts of flood lights on the dark corridor between Richmond Park and the River Thames should be considered;

Internal Consultees:
Enable (Trees):
- Tree protection measures are proposed, however full details of these measures should be secured by planning conditions;
- The proposed Ginkgo tree is a category B semi-mature tree. A suitable replacement of a similar sized trees should therefore be planted.

Enable (Ecology):The design of the floodlight heads and the prohibition of the use of the floodlights after 9pm would preclude any potential harm to foraging bats.

Environmental Services (Noise):
- There are no objections to the proposed development;
- Based upon the submitted Noise Impact Assessment it can be concluded that noise generated by the padel tennis courts is likely to be a little more noticeable than the noise generated by the existing courts;
- Any additional noise impacts would not be significant and there would be no substantial impact upon the amenity of adjoining occupiers, provided the hours of operation are restricted.

RELEVANT PLANNING POLICIES:
National Planning Policy Framework (NPPF) (2019); The London Plan (2016) Policies: 3.19 (Sports facilities), 7.11 (London view management framework) and 7.17 (Metropolitan Open Land). The draft London Plan (Intend to publish version, December 2019) Policies: S5 (Sports and Recreation Facilities), HC4 (London View Management Framework) and G3 (Metropolitan Open Land). Wandsworth Core Strategy (2016) Policies: PL4 (Open space and the natural environment) and IS3 (Good quality design and townscape). Development Management Policies Document (DMPD) (2016) Policies: DMS1 (General development principles), DMS 6 (Sustainable Drainage System), DMO1 (Protection and enhancement of open spaces), DMO2 (Playing fields and pitches, sport play and informal recreation), DMO4 (Nature conservation), DMO5 (Trees), DMT1 (Transport impact of development) and DMT2 (Parking and servicing).

PLANNING CONSIDERATIONS:
The main considerations material to the assessment of this/these application/s have been summarised as follows:

- Principle of Development on Metropolitan Open Land
- Design, Appearance and Sustainable Drainage
- Impact upon Nearby Listed Buildings
- Impact upon Neighbouring Amenity

- Ecology and Arboriculture
- Other Matters

1 Principle of Development on Metropolitan Open Land

1.1 The site is designated as Metropolitan Open Land (MOL). Core Strategy policy PL4 and DMPD policy DMO1 states that the Council will protect MOL from inappropriate development in accordance with the London Plan and NPPF.

1.2 London Plan policy 7.17 states that MOL is afforded the same protection as Green Belt and essential ancillary facilities will be acceptable where they maintain the openness of the MOL in accordance with the NPPF. Policy 7.17 also states that inappropriate development on MOL should be refused, except in very special circumstances.

1.3 Regarding Green Belt protection, paragraph 143 of the NPPF provides that inappropriate development should not be approved except in very special circumstances. Paragraph 145 states that Local Planning Authorities should regard the construction of new buildings as inappropriate, but provides a list of exceptions including [inter alia]:

The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

1.4 The area in which the proposed courts would be located is currently occupied by two mini-tennis courts which are enclosed by 2.3m high fencing. The courts are also enclosed by 6.7m high building to the north, a 2.8m high building to the east and a boundary treatment between 6.4m and 3.2m high to the south. There is not therefore any sense of openness afforded to this part of the MOL that would be lost as a consequence of the proposed courts and their associated enclosures.

1.5 Given the above, and the proposed courts replacing pre-existing facilities and the courts being located within the well-established Roehampton Club which includes a range of outdoor sports facilities, the proposed development is not considered to be inappropriate development in the MOL, in accordance with London Plan and NPPF paragraph 145.

1.6 The principle of the proposed courts and their associated means of enclosure are therefore acceptable within the designated MOL in accordance with the NPPF, London Plan policy 7.17, Core Strategy policy PL4 and DMPD policy DMO1.

2 Design, Appearance and Sustainable Drainage (SuDs)

2.1 DMPD policy DMS1 states that planning permission will be granted for development which ensures its scale, massing and appearance provide a high-quality design that contributes positively to local spatial character. DMPD policy DMS6 states that all new development should seek to incorporate SuDs and parking areas associated with non-residential development should be made of permeable material.

2.2 The surface area of the three courts would be covered with permeable artificial grass. The materiality of this surface area is commonly used for outdoor sporting courts, and in this instance, it would relate to the use of the courts. Moreover, the grass would enhance the SuDs potential of the site and it therefore acceptable in this regard.

2.3 The proposed means of enclosure and roof canopy would be considerably larger than the fencing which encloses the two existing mini tennis courts. However, the overall impact upon the appearance of the locality would be somewhat minimalised by the siting of the nearby buildings and wall identified in paragraph 1.4 above. Visibility of the means of enclosure would be further lessened by 9 x 3.4m high pleached Cherry Laurel trees that would be planted along part of the southern boundary of the application site. It is also proposed to paint the enclosure in a dark green colour that would be secured by condition (Condition 8).

2.4 As identified under the application details heading of this the report, the site is located within a Designated Linear View of St Pauls Cathedral from King Henry VIII's mount. However, the proposal would not affect this view given its size.

2.5 In considering the above, the proposed courts and their means of enclosure are therefore considered to be acceptable from a design and SuDs perspective in accordance with DMPD (2016) policies DMS1 and DMS6.

3 Impact upon Nearby Listed Building

3.1 The proposed padel courts would adjoin the Grade II listed Fairacres to the south. The impact of the proposal on the setting of that listed building is therefore a material planning consideration. The NPPF defines setting in this context as 'The surroundings in which a heritage asset is experienced'.

3.2 In this regard, the proposal must be considered in accordance with 66(1) of the Planning (Listed Building and Conservation Areas) (LBCA) 1990, which states that local planning authorities must have special regard to the desirability of preserving or enhancing listed buildings. In this context, this means doing no harm to a heritage asset. This is supported by DMPD policy DMS2.

3.3 The visual impacts of the proposed means of enclosures and the roof above one of the proposed courts would be, to a great extent, mitigated by the siting of existing structures and the planting of 9 x 3.4m high pleached Cherry Laurel trees along the southern boundary. The planting of the trees in particular would ensure no harm is caused to the setting of the Grade II listed Fairacres by the proposed means of enclosure and roof. The trees would, to some extent, enhance the setting of the listed building by providing a soft boundary between the two sites.

3.4 In considering the above, the proposed courts and their enclosures with associated roof would not cause harm to the setting for the Grade II listed Fairacres in accordance with Section 66(1) of the LBCA 1990, the NPPF and DMPD policy DMS2.

4 Impact upon Neighbouring Amenity

4.1 DMPD policy DMS1c states that planning permission will be granted for development which does not harm the amenity of occupiers/users and nearby properties through unacceptable noise, vibration, traffic congestion, air pollution, overshadowing,

overbearing, unsatisfactory outlook, privacy or sunlight/daylight. In this instance the only amenity potential amenity impacts associated with the proposal would be noise and light pollution. The nature of the proposal and its separation distance from Fairacres would preclude any other adverse impacts.

4.2 An Acoustic Assessment has been submitted with the planning application. The assessment first outlines that Fairacres is the nearest noise sensitive receptor to the proposed tennis courts, with residential windows being 22m away to the south.

4.3 In order to fully understand the existing ambient and background noise levels near the site, two monitors were installed in the locality between 3rd January and 7th January 2020. One monitor was installed 3m away from the façade of Fairaces at first floor level, whilst the second was installed at the boundary wall between the application site and Fairacres. In terms of the existing environment, the assessment finds that background and ambient noise levels are reasonably high in the area due to aircraft landing at Heathrow Airport. Road traffic also has noise impacts. Noise is also generated by the existing mini tennis courts.

4.4 In order to understand the potential noise impacts of padel tennis, a game was monitored from five locations at the Hurlingham Club in Fulham over the course of one hour which is considered comparable to the site subject of this application.

4.5 Noise generated at the existing site and by a game of padel tennis at the Hurlingham Club were then used to understand the potential noise impacts of padel tennis at the application site. The Acoustic Assessment found that Overall, games of padel tennis would be audible at some times during the evening and between aircraft movements, but due to the character of the area and low level of sound generated at residential sound sensitive facades, this would cause only a low adverse impact where the and unlikely to have a negative effect on the quality of life of Fairacres residents. It is also pertinent to note that noise impacts associated with the proposed courts are not expected to be significantly different to the current situation.

4.6 The Acoustic Assessment also recommends that signage should be installed within the courts to remind players of the proximity to Fairacres, and to install planting along the southern boundary. Should planning permission be granted, it is recommended that these requirements be secured by a planning condition (Condition 11). It is also recommended that the use of courts is restricted to no later than 9pm Monday to Saturday and 8pm on Sundays and Bank Holidays (Condition 5)

4.7 Residents of Fairacres have also raised concerns that the proposed floodlights will result in undue light pollution. This is considered to be unlikely for a number of reasons. Fairacres currently benefits from external lighting which is affixed to its external elevations facing the application site. This existing lighting would likely preclude any increased light pollution experienced by residents of that neighbouring building.

4.8 A Light Report submitted with the planning application confirms that the luminance levels of the lights would not have a lux level exceeding 400 (which is within tolerable levels within an urban setting), and any overspill would largely be confined within the application site. This is due to the siting of the existing high boundary walls and the heads of the lighting columns directing light towards the courts.

4.9 Any potential adverse impacts would be mitigated by a condition that would prohibit the use of the floodlights after 9pm 7-days per week. It is recommended that planning permission be granted subject to this condition (Condition 7).

4.10 In considering the above, the proposed courts and their associated lighting columns are unlikely to have an unacceptable impact upon neighbouring amenity in accordance with DMPD policy DMS1.

5 Ecology and Arboriculture

5.1 DMPD policy DMO4 states that proposal that would harm protected species will not be permitted unless damaging impacts can be prevented. Policy DMO5 states that the loss of trees of amenity value will not be permitted unless replacement planting is proposed.

5.2 During the application process, the Council's Ecologist raised concerns about the potential impact of the proposed floodlights on foraging bats. However, the design of the floodlight lamps and the prohibition of the use of the floodlights after 9pm would preclude any potential harm to foraging bats. The proposal is therefore acceptable in this regard in accordance with DMPD policy DMO4.

5.3 As identified under the application details heading of this report one category B Gingko tree would be felled to accommodate the proposed courts. A replacement Gingko tree would however be planted to the west which is acceptable and would be secured by conditions 2 and 9.

5.4 An Arboriculture Impact Assessment has also been submitted with the planning application. The assessment identifies that a series of measures will be employed to protect nearby trees during the construction phase of development, including the use of tree protection fencing and ground protection areas. Arboriculture Officers have confirmed that these details are acceptable, however final details of protection measures are recommended to be secured by condition should planning permission be granted (Conditions 3, 4 and 9). Subject to the submission of further details as indicated, the proposal would be acceptable from an arboriculture perspective in accordance with DMPD policy DMO5.

6 Other Matters

6.1 All the relevant planning matters raised by members of the public in respect of the proposal have been addressed above. Concern has also been raised that the proposed courts will result in the loss of property value and views. However, neither of these concerns are material planning considerations and as such cannot form part of the assessment of this planning application.

7 Planning Balance and Conclusion

7.1 The principle of the proposed padel and mini tennis courts with associated means of enclosure is acceptable, as their erection would not prejudice the openness afforded to the Metropolitan Open Land, and would relate well to the established outdoor sporting use of the Roehampton Club.

7.2 The proposal would be acceptable from a design perspective given the setting of the existing adjoining buildings and high boundary wall. Moreover, the appearance of the

proposed means of enclosure would relate to the long-established sporting activities at the site. The proposal would not cause harm to the setting of the nearby Grade II listed Fairacres given the setting of the adjoining structures listed below and the planting of mature pleated trees along the southern boundary of the site.

7.3 The amenity impacts of the proposed courts would be courts would be associated with the noise generated during games and light pollution produced by lighting columns. However, there would be no undue impacts with regard to these subject to conditions to control the hours of use of the courts. Finally, there would be no unacceptable ecological impacts associated with the proposal, and a suitable replacement Ginkgo tree would be planted to replace an existing one on the site.

7.4 In considering the above, the proposal would accord with the provisions of the NPPF, London Plan (2016) Policies 3.19, 7.11 and 7.17, draft London Plan policies S5, HC4 and G3, Core Strategy policies PL4 and IS3, and DMPD policies DMS1, DMS 6, DMO1, DMO2, DMO4 and DMO5.

7.5 It is therefore recommended that planning permission be granted subject to the conditions listed below.

RECOMMENDATION: Approve with Conditions

1. AC01 - 3 Years
The development hereby permitted shall be begun within 3 years from the date of this permission.
Reason: To prevent the accumulation of unimplemented planning permissions and to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004 and to meet the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2.AC02 - In accordance with drawings
The development shall be carried out in accordance with the reports, specifications and drawings detailed TMC J5059/01A; 11; 03B; 06; 07; 08; 09; 10; Outdoor LED Lighting Design Report (dated 13/11/2019);
Reason: To ensure a satisfactory standard of development, and to allow the local planning authority to review any potential changes to the scheme.

3. AC11 -Tree Protection Measures
No development shall take place until tree protection measures are installed and any further information is provided in accordance with the submitted arboricultural information. The applicant shall arrange a pre-commencement meeting with the Local Planning Authority and the applicant's project arboriculturalist to allow inspection of the protection measures.
Reason: To safeguard trees and hedges on the site in the interests of visual amenity and the character of the area, having regard to the Development Management Policies Document DMO5 (a) coupled with the requirements of paragraphs 20, 127, 170 and 171 of the National Planning Policy Framework 2019.

4. AC11 - Tree Protection
In this condition 'retained tree' means an existing tree or hedge, which is to be retained in accordance with the approved drawings and specifications. Paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.
a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved drawings and specifications, without the written approval of the Local Planning Authority. Any pruning shall be carried out in accordance with British Standard 3998:2010 Tree work and in accordance with any supplied arboricultural method Statement
b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority

c) Tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site
d) All arboricultural protection information and plans submitted as part of the application, and listed in the approved drawings condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Local Planning Authority. This shall include a comprehensive timetable of arboricultural site supervision
e) This permission shall lapse if any retained tree is felled, pruned or relocated prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority
Reason: To safeguard trees and hedges on the site in the interests of visual amenity and the character of the area, having regard to the Development Management Policies Document DMO5 (a) coupled with the requirements of paragraphs 20, 127, 170 and 171 of the National Planning Policy Framework 2019.

5. AC41 - Courts Hours Use
The courts hereby permitted shall not be used other than between the hours of:
(a) 0700 to 2100 Mondays - Saturdays
(b) 0730 to 2000 Sundays and Bank Holidays
Reason: To safeguard the amenities of the neighbourhood, in accordance with Council policy DMS1 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019.

6. AC41 - Lighting Columns Use
The lighting columns hereby permitted shall not be used other than between the hours of:
(a) 0700 to 2100 Mondays - Saturdays
(b) 0730 to 2000 Sundays and Bank Holidays
Reason: To safeguard the amenities of the neighbourhood, in accordance with Council policy DMS1 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019.

7. AC11 - Awareness Signage
Signage to remind users of the courts hereby approved that residential properties are located within close proximity shall be installed within the courts prior to the commencement of their use.
Reason: To safeguard the amenities of the neighbourhood, in accordance with Council policy DMS1 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019.

8. AC11 - Enclosure Colour
The metal enclosures hereby approved shall be painted in green RAL 6005, unless agreed otherwise in writing by the Local Planning Authority.
Reason: In the interests of the appearance of the locality in accordance Council policy DMS1 of the Development Management Policies Document (adopted March 2016).

9. AC71 - Completion of Landscaping
The landscape works and planting shown on approved drawing shall be carried out prior to the commencement of use of the mini tennis and padel courts, or in accordance with a programme agreed in writing with the local planning authority and shall be maintained thereafter. .
Reason: To ensure a satisfactory appearance and to provide biodiversity interest, in accordance with Council policies DMS1 and DMO4 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019.