

Cllr Luke Cawley-Harrison – Comments on App HGY/2026/0671

I submit the following comments in my capacity as the ward councillor for Crouch End, where the application site is located:

Firstly, I acknowledge the previous Approval with Conditions of application HGY/2024/3278 for the “Installation of four Padel courts on existing hardstanding.”

I would like to reference some key details from the officer’s determination report in respect to the approval for that previous application which I believe to be relevant to the determination of this application – especially as the applicant has used the approval of said application somewhat as a precedent for their proposals:

- 1) *“LBH Conservation - The development’s location at the end of Tivoli Road makes it visually prominent, raising concerns about its impact on the adjacent Conservation Area. The lack of clear lighting details, light spill diagrams, and complete elevations makes it difficult to assess the full impact. The proposed floodlights and unscreened elements may draw attention to less desirable parts of the site, causing harm to the area’s character.*

Soft landscaping and better fencing could help mitigate this, but due to insufficient information. Conservation currently objects, as the proposal fails to meet the statutory duty to preserve or enhance the Conservation Area.”

- 2) *Sport England - No longer objects to the application, subject to key conditions being imposed:*
 - a. *Reinstatement of Tennis Courts after Padel use ends.*
 - b. *A 10-year contractual agreement with Padel Pod to generate income for future sports provision.*
 - c. *Ringfencing income from Padel to improve both Padel and Tennis facilities, including converting derelict land into a new Tennis Court.*
 - d. *Club to register annually with the LTA and use Clubspark for pay & play Tennis.*
 - e. *Relocation Plan for CETA to ensure minimal disruption and continued access to Tennis.*
- 3) *Principle of development – Impact on MOL: “The structures associated with padel would be similar in style and function to tennis courts, meaning the change of use would not materially alter the site’s existing character. Additionally, this stretch of Metropolitan Open Land (MOL) sits against the backdrop of Park Road Leisure Centre, characterised by a high boundary/ vegetation. From a planning perspective, the proposals would not harm the site appearance, its openness as*

part of MOL.”

- 4) *“Given the findings of the noise report and considering that doubling the distance from a sound source reduces the sound level by approximately 6 decibels (dB) this relocation will materially reduce the predicted noise level in relation to the residential windows at this property, bringing it within a negligible tolerance. These findings, as presented in the noise report, have been discussed with an Environmental Health Officer. To further mitigate potential noise concerns, Officers have proposed a condition requiring the submission of a noise management plan, which must be approved by the Local Authority.*

Additionally, an operating hours condition would be imposed restricting the use to operate between the hours of 08:00 to 20:00 on both weekdays and weekends, ensuring noise nuisance is minimised.”

I shall return to each of these above points as part of my submission, which I shall now break down into specific parts relevant to concerns around the application.

In advance of this however, may I say that I welcome the addition of modern sport/leisure provision within the Crouch End area. Any way we can encourage citizens to become more active to improve overall fitness and take part in activities that involves social interactions – especially outdoors - brings significant physical and mental health benefits to the individuals involved but also has a wider public health benefit. It is also noted that the existing tennis courts at this location have received underinvestment from the landowners for a number of years and have been underutilised. It is a chicken and egg question as to which has led to a greater impact on the other, but the following comments are made noting that there is already recreational racket sport use that takes place at this location, albeit in a more limited capacity.

Impact on adjacent Conservation Area & Local Amenity

The applicant site sits almost atop of the borderline of the Crouch End Conservation Area, which is inclusive of the totality of Tivoli Road, Glasslyn Road, and runs along Park Road up to the Shell Garage/Petrol Station. As such, whilst the site itself is not within the Conservation Area, its proximity and adjacency to the CA is a material planning consideration.

With reference to the comments from LBH Conservation for application HGY/2024/3278 which I include above, it should be noted that the proposal regarding which those comments were made were significantly smaller, and less visible than this application.

They included fully transparent walls which would be half the height of the roof structure proposed here, no clubhouse facility as proposed here, and a far more temporary structure than is proposed here. And yet the officer objected to that application, despite the much smaller size and lesser visibility, calling that application “visually prominent”, therefore “raising concerns about its impact on the adjacent Conservation Area” and as such “Conservation currently objects, as the proposal fails to meet the statutory duty to preserve or enhance the Conservation Area”.

Now taking this application in its own merits – the implication is significantly larger in every aspect. It would be of significant visible appearance, especially the roof structure, not only from Tivoli Road as you approach the site, but from all surrounding areas.

The applicant in a number of drawings and elevation plans states that the roofline will be at a maximum height at its apex of 9m. However, in the Design and Access Statement, section 3.2, they state that the structure will have a “6-metre eaves height and an apex height of 9.8 metres.” It is disappointing that an application of this prominence would include such a significant discrepancy.

I shall, nonetheless, work on the basis that the apex height will be of the lesser of the two figures and be a maximum of 9m, as the concerns around this figure would apply with greater strength at the 9.8m figure.

Firstly, I should note that whilst the maximum height is listed as the “apex height”, due to the design, each of the four courts will have their own apex, creating a roofline that rises and falls to create four apexes across the entire structure. As such, from a distance the visual height can be considered as a single flat line height of 9m across the majority of the 50m+ length of the structure.

To contextualise this height, a standard UK early 20th century terrace or semi-detached residential property, such as those along Tivoli Road or Glasslyn Road, is approximately 7.5m-8.5m to the ridgeline.

As such the application building would be of significant visual appearance from every position along Tivoli Road, multiple locations along Glasslyn Road, and multiple locations along Wolseley Road – all within the CE CA. The structure itself is, by design, not sympathetic to the surrounding area, and would not blend in with the housing stock and densely residential area with which it borders.

61-87 Park Road, a set of terraced Local Authority properties built much later in the 20th century stand at an even lower height than the properties noted on Glasslyn and Tivoli, due to the shallowness of their roof pitch.

If one is to stand on Park Road, within the Crouch End Conservation area, the rear and roofline of the existing properties on Tivoli Road are visible, at their heights of approximately 8m. Adjacent to 61-87 Park Road is a set back automotive garage, and

shell petrol station, both of which feature maximum heights below those of the properties on Tivoli Road, with multiple sightlines created through these sites to Tivoli Road, View Crescent and the application site. This is especially prominent in the winter when the trees that line the boundary between Park Road and Tivoli Road are devoid of leaves.

As you move further along Park Road, the visibility of the properties in View Crescent becomes much clearer due to a lack of trees, and taking a vantage point between the Shell Garage and Gransden House – a three storey purpose built block on Park Road, you can clearly see through View Crescent to the application site. Gransden House, itself, through recent upwards extension is estimated to be approximately 9-9.5m in height, which would be similar to the proposed height for this application.

Further visibility of the application site can be observed from vantage points along Park Road outside the Park Road Leisure Centre, in front of Fuller Court, and even more significantly, from within the Leisure Centre grounds, especially from within the Lido area.

This is important, as the Lido site effectively abuts the application site. A 9m (or 9.8m) structure next to the Lido site would be immediately visible, dominating, and likely to create significant detrimental impact to an existing municipal leisure facility.

All of the above should be considered as to whether the application structure would not just cause harm to the existing CA, but as per planning law, preserve or enhance the CA. By reverting back to the conservation officer submission to the previous application, which was half the size, had no roof, and had no visibility from the list of vantage points I reference with the exception of Tivoli Road; and was still objected to on the grounds that the previous application “fails to meet the statutory duty to preserve or enhance the Conservation Area”, then by virtue of this application being significantly more incongruous than the previously approved one, then it would appear that this application fails this test, and therefore too, does not meet the statutory duty to preserve or enhance the Conservation Area in line with planning policy.

In addition, the impact on neighbouring amenity is a key point. Especially the impact on the council owned public leisure centre and Lido next door. The application site is directly to the south of the Haringey Council run Park Road Lido, with just a few metres separating the proposed building and the Lido itself. The border of the proposed site, and the leisure centre grounds has a large hedge separating the two sites. The hedge has an approximate height of 5-6.5 metres dependent on if the hedge has recently been pruned or not. The new 9m (or 9.8m) structure would not only tower over this hedge/borderline but would also tower over the Lido itself. Being directly to the south of the Lido this would cast a direct shadow over the entire Lido and surrounding grass/paved seating and amenity space for much of the year. This would leave the Lido

in shade, reducing the appeal for potential lido users/visitors, reducing the water temperature of the lido and surrounding area, and have a significant detrimental impact on the public amenity.

This is of course important, as one of the key considerations for development on Metropolitan Open Land (which I will come on to), is that there is improved sport/leisure facilities. It is important to consider that this should reference the total net benefit. If a site offers increased provision, but in doing so, reduces provision nearby, then this becomes a planning consideration.

Development on Metropolitan Open Land (MOL)

As has been stated through numerous submissions on this and previous applications for this plot, the area is designated as MOL – affording it the same policy tests that apply to the Green Belt at a NPPF level. Therefore, several additional tests should be applied when determining this particular application.

Most relevant to this application is the following NPPF statement on acceptable exemptions to development: “the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, 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;”

Firstly, it is clear from the application that a structure of this size, scale, massing, and potential for uplift from high winds, combined with the associated reception/toilet /clubhouse building, cannot be classified as temporary. The application would be for a permanent physical structure requiring significant foundations, and any determination should be considered on the basis that this would be a permanent and indefinite change of use of the site, with the full construction of new buildings on MOL.

Establishing the fact that this is clearly a full development, and not the placement of a temporary structure, means that consideration must be given to the resulting impact on the MOL and one of the core tests is that of appropriateness, and if any proposed development maintains the openness of the MOL.

As previously noted, the proposed structure in practise is a 50m x 25m x 9m construction in one location with full roof covering, walls and hard standing, alongside a fully enclosed pavilion building which appears to be around 10m x 5m in size.

Preservation of openness is crucial here. We have already established that the proposed structure will be incongruous, clearly visible, dominating, and clearly beyond anything in scale in the surrounding area. However, openness should be considered as a separate test.

The application states that the canopy/roof will have an eaves height of 6 metres and also states that the walls for the padel courts will be 4m in height. This means that there will be just a 2m gap of “openness” in the structure – just one third of the wall height. There are to be no breaks in this wall, and no breaks in the roof.

The proposal, whilst giving the impression from drawings and 3d models that the walls will be glass and therefore completely transparent to maintain the visuality of openness, actually states this won’t be the case, and that instead: “The side elevations will be part clad with 40mm insulated sandwich panels to approximately 3 metres below eaves level, providing weather protection while maintaining an open sporting character above.” Presumably this means some form of PIR boards.

Therefore, for each 25m side elevation, 3m of the 6m (the bottom 50% of the entire side of the structure) will not be transparent, and will instead be an opaque dense structure, giving no level of visual openness at all – given that a 3m height is significantly above the eyeline of the average UK person.

This side elevation structure/material type is not demonstrated in any of the visualisations but creates a very different proposition from that indicated by the drawings and 3d model.

With all this put together, it is clear that the proposed structure retains only an incredibly limited sense of openness if any at all.

Whilst the proposal does pass the tests in terms of land use for recreation and/or sporting activities which are permissible on MOL, unfortunately the benefits of this do not appear to outweigh the very significant impact on openness for this area of MOL, and for this reason I believe it fails the test for development on MOL without design changes.

Impact from the installation of commercial artificial lighting

The application states that floodlights will be installed as part of this application. Unfortunately, there is a very significant inaccurate statement made by the applicant in regard to this, where they declare:

“Whilst it is acknowledged that the development introduces additional built form within MOL, the resulting harm to openness is limited and localised, arising from lightweight, open-sided canopies within a campus that already accommodates floodlit sports facilities.”

I am not aware of any floodlighting on this “campus” or in the surrounding area, and it is completely unclear what they are referencing here. The application proposes the first implementation of floodlighting on this site, and wider campus (if campus is referring to

the landowner redline, or beyond – such as to include the Park Road Leisure Centre site next door too). It would set an entirely new precedent for the area and would have a significant impact on the skyline locally, and neighbouring amenity.

It is difficult to assess the impact in full as there is no detail on the lighting form, positioning (including direction beyond the D&AS which states it would be directed towards the courts), strength, operating hours, volume, height or anything else. Some minor details are provided in the elevation drawings which state that the lights would be “Located under Canopy” and that they would be HiLUX Gem LED, but without the kelvin or lumen levels, nor size of light units. The lighting does not feature as represented in any of the 3d models or drawings.

Without details of this, it is impossible to ascertain things like light spill, however it is assumed that a significant light level will be needed to allow for a reasonable playing experience after dark. Referencing back to the section on the impact on the CE CE and the ability to see the proposed roof structure from much of the surrounding area - far further that just the end of Tivoli Road – it is clear that the new floodlights would be visible from all of these same locations throughout the evening right up to a minimum of 10pm which is the proposed end of playing time. This would mean that sightlines from, for example, Park Road in front of the Leisure Centre towards the direction of the application site would materially change permanently from a open space of darkness at night, to a large monolithic lit up structure.

On top of this, even with directional lighting, an amount of light spill is to be expected, as well as local light pollution, and this has not been quantified. It must therefore be assumed that there would be some, as yet unknown, impact on neighbouring amenity, perhaps even going as far as to be considered obtrusive.

Given the lack of detail around this, floodlighting cannot be considered acceptable. If the application is minded for approval by the planning authority, this should be subject to condition that no floodlighting/artificial lighting would be erected on site at this stage, and that this would require a separate, more detailed application.

Impact from noise

The applicant has included a Noise Impact Assessment with the submitted application which is welcome. However, there are areas for concern in relation to its reliability to be able to inform a decision on the application. Firstly, the Noise Impact Assessment (NIA) states:

“As the site operates during daytime periods only, (08:00 – 20:00 hours) we have considered hourly periods as is standard practice e.g. as recommended by BS 4142: 2014+A1: 2019.”

This is inaccurate as the proposal is for operating hours of: 08:00 – 22:00 (NOT 08:00 - 20:00). The NIA makes no assessment of the impact of the facility during the operating hours of 20:00-22:00 when ambient noise levels are lower, and residents can be expected to have a reduced impact on their right to peace from commercial, leisure, construction or other operational facilities nearby that create above background level noise as this will.

In fact, not only does the NIA make no reference to the impact of such late hours, but the entire application makes no reference to this either. No demonstrable argument is made that provides the significant weight necessary for the operating hours of what has been confirmed as a noise generating facility by not only this NIA, but also the NIA attached to the previously approved application, to extend beyond the evening time of 8pm into late into the night at 10pm. This would be far beyond the hours of operation that were conditioned as part of the previously approved padel application from another supplier:

“Additionally, an operating hours condition would be imposed restricting the use to operate between the hours of 08:00 to 20:00 on both weekdays and weekends, ensuring noise nuisance is minimised.”

By limiting the NIA analysis period to 20:00, the applicant has completely failed to assess the noise impact for the final two hours of daily operation. This invalidates the report’s conclusions on residential amenity for a few reasons.

While it may be the case that BS 4142 defines the overall "daytime" window as 07:00 to 23:00, it is a matter of fact that ambient noise drops significantly between 20:00 and 22:00. In fact this is evidenced in the NIA’s own appendix (appendix b) which shows a significant reduction in noise levels after their 19:45 graph markers, before they increase again daily around the 07:45 marker.

By using a broad daytime average which stops at 20:00, the NIA fails to both present an accurate daytime average against the entire opening time, nor take into account the quieter evening period where the impact of noise from the facility in contrast to the ambient noise levels during this timeframe would be much starker.

And of course, the hours that have not been considered by the NIA (20:00 - 22:00) are recognised by the World Health Organization (WHO) Guidelines for Community Noise as a period for a transition to sleep and therefore could lead to heightened disturbance and that *“If the noise is not continuous, sleep disturbance correlates best with L max and effects have been observed at 45 dB or less. This is particularly true if the background level is low. Noise events exceeding 45 dBA should therefore be limited if possible.”* Of course, even without the penalty applied, the noise levels would exceed this 45dB threshold.

The NIA provides an appendix which (one assumes accurately) shows the measured sound pressure level at the proposal site in dB. However, despite carrying out a similar procedure at a comparable Padel provider, no such evidence of monitored noise over time is provided. The acoustic consultants simply state:

“The typical specific noise level during use of the representative permanent padel court, was 54 dB LAeq (1 hour) at 8 m.”

As we know, sports such as Padel are subject to huge noise fluctuations with dB levels increasing significantly when players shout, grunt, or the ball makes contact with physical surfaces. Applying a “typical” noise level as a single measurement in this instance is not representative of the noise impact (NI) that would be experienced by neighbouring properties as a result of the new facility. Padel creates noise levels that frequently and consistently exceed 70-80dB during play. To have these sorts of noise levels continue through until 10pm at night would create a significant impact on local residents’ peaceful enjoyment of their homes.

The acoustic consultants give no reasoning why they have not provided an appendix showing the full wave chart of noise for this test in the same way that they have for the background noise levels at the proposed site. Presumably this is because the noise level peaks extend significantly beyond the 54dB “typical” level they have used as the fixed figure to test against the NI on nearby properties, and this would not be in the applicants favour to do so.

However, under BS 4142, specific penalties must be applied to account for the impulsive and repetitive character of a sound such as that emanating from a sport like Padel (and the associated vocalisations from players) compared to say, a consistent additional frequency noise. This additional penalty could lead to an increase of up to +9dB on the final NI to neighbouring properties, but even at the level of “just perceptible” impulsivity, an additional +3dB penalty should be applied. The NIA has failed to do this.

The NIA states that ultimately the impact on nearby residential properties would be an increased noise level of between 1.7-2.0 decibels. This they categorise as “Negligible”. However, if even the lowest penalty value of 3dB were to be applied then this would increase the impact to 4.7-5.0 dB. This would push the impact, using the NIA criteria (table 3.2) up to Moderate bordering on Substantial.

The impact of moderate noise increases, the NIA states, would be: *“causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects*

the acoustic character of the area such that there is a perceived change in the quality of life.”

And if substantial: “The noise causes a material change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.”

For the previously approved application, a NIA was also submitted by the same acoustic consultation company. Interestingly, despite the report being essentially the same in practise, for pretty much the same provision, this report (carried out in Feb 2025), estimated a noise impact of up to +8dB. Significantly more than the +2dB estimated in the more recent report. They state clearly in that report that this would have a “substantial” impact, and this too, did not feature the BS 4142 penalty of between +3 - +9db for impulsive noise.

Due to the outcome of that NIA, the acoustic consultants included within the report an example noise management plan, and this NMP became a condition of the approved application. No such NMP has been applied to this new application.

Given the above it is clear that the planning authority should request the full NI data for the representative site to examine the maximum and minimum noise values over the test period (or at least percentile range figures – for example 90th percentile), and how the Acoustic Consultants have arrived at the 54dB figure. They should query the variation to the same test carried out a year earlier, and they should apply the appropriate penalty value in any calculations.

Once they have all of this, then a Noise Management Plan should be mandated by condition to ensure that noise is appropriately managed by the operators, and the same condition to be applied to this application to eliminate evening noise from the site by restricting the hours of operation to 08:00 – 20:00, matching those of the previously approved application.

Social Value

As stated at the start of my submission, it is welcome to see improved leisure provision being brought forward for the local area.

However, it is disappointing to see that there is no attempt by the applicant – at least as has been published in the application - to showcase any local benefit or social value from the application, notwithstanding those that are able to pay to play at market rate.

While padel is indeed one of the fastest-growing sports in the UK – as the applicant indicates, academic and industry evidence shows that the cost to play Padel is acting as a significant barrier to entry, which means that to date the sport’s demographics are heavily skewed toward a more affluent, older audience. The cost for an individual playing in London is now averaging £15-30 per hour. By comparison, tennis on renovated Haringey Council courts costs £6.60/hour during peak times which can be split between however many players are in attendance (normally 2 or 4) and is completely free from Monday to Friday before 4:00 PM.

The loss of tennis courts, not just at this location, but across Haringey and London, to be replaced by Padel, is leading to a removal of access to a free to low-cost sport, in favour of a sport which is prohibitively expensive. Sport England’s objections to the previously approved application make a similar point, and their request for conditions relating to that application, should stand and be considered for this one.

When considering development on MOL the balance of impact vs benefit must be weighed up, and one consideration can be social value. I would therefore request that the applicant is able to provide provision for truly affordable access to padel to those in Haringey when the usual pricing model prohibits them from playing, to provide easy and low-cost access to kids and juniors, and that there is a local area discount scheme for those nearby. Access to all of these things should also not be prohibited by having to be a “member” for an additional cost, or by the requirement to have an additional “subscription” to the club or provider whether monthly, annually or any other timeframe.

This should be part of any application either by a further submission to the application, or by condition, before determination if the planning authority is minded granting permission.

Additional Comments

It is clear both from the application comments, and from everyone’s knowledge of the area, that parking is an issue in this area.

If the planning authority were minded approving the application, then:

There should be a parking and traffic management plan in place by condition. This should include a 12-month review and area impact assessment – including engagement from local residents, leading to a revised management plan if required.

Additional cycle parking/storage provision at the club should be made by condition.

A dedicated dockless bike (Lime/Forest) parking bay should be created within the operator site – accessible at all times, and as with other locations with parking issues

surrounding dockless bikes, an exclusion zone created that prevents the parking of bikes unless they are in the zone, especially at the end of Tivoli Road by the entrance to the car park. It is noted that bikes parked here frequently block pedestrian access to the Hornsey Club and the Nursery which is also on the grounds.