



Officer Report

Application Number:	HGY/2023/2299
Application Type:	Outline planning permission: Some matters reserved
Address:	Highgate Cricket And Lawn Tennis Club, Crouch End Playing Fields, Park Road, Hornsey, London, N8 8JP
Proposal:	Resurfacing and extension of tennis courts including change of use from garden to sports use, provision of floodlights, redevelopment of clubhouse and associated works
Case Officer:	Cameron Sturges
Valid Date:	24/08/2023
Applicant:	Highgate Cricket and Lawn Tennis Club
Agent:	

RECOMMENDATION

Approve with Conditions

1. SUMMARY OF RECOMMENDATION

GRANT OUTLINE PLANNING PERMISSION, subject to conditions

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Development

2.1 This is an application for the resurfacing and extension of tennis courts including the change of use from garden to sports use, provision of floodlights, redevelopment of clubhouse and associated works.

Site and Surroundings

2.2 The application site relates to a tennis, cricket ground and club facility, known as Highgate Cricket and Lawn Tennis Club, (HCLTC) located in the extensive grounds of Crouch End Playing Fields. HCLTC now accommodates Brookside courts which were acquired 20 or so years ago.

2.3 The courts relating to this application are located to the south of Greenways, a public right of way connecting Park Road and Wood Vale. Within the site there is a pavilion to the south of the courts and the club grounds. To the north of the site is the North London Cricket Club. Georgian Tennis Courts neighbour the Brookside Courts to the south/southwest.

2.4 Within this broader area known as Crouch End Playing Fields are other cricket and tennis clubs and allotments, all of which provide both formal and informal leisure opportunities. The site is not located within a conservation area or within the curtilage of a listed building. The site is situated within Metropolitan Open Land and the site is classified as SINC grade 1- (a site of nature conservation interest). Crouch End District Centre is located roughly 700m away/ a 13-minute walk.

Relevant Planning and Enforcement History

2.5 The planning history of the site has been taken into account when coming to this decision. The history of the site is listed below:

HGY/2021/0479 - Removal of existing and erection of replacement cricket net facility. – APPROVED 16/03/2021

HGY/2019/3296 - Erection of single storey extension to existing single storey storage container – APPROVED 11/02/2020

HGY/2002/0206: Felling of a Willow tree – APPROVED

HGY/2004/2360: Replacement of shed with new fireproof storage container – APPROVED

3. CONSULTATION RESPONSE

3.1 The responses below were received following consultation of the application:

The responses below were received following consultation on the application:

Internal:

- 1) LBH Arboriculture – No objections, subject to conditions
- 2) LBH Transportation – No objections, subject to conditions
- 3) LBH Parks – No comments received

External:

- 1) Sport England – No objections
- 2) Lawn Tennis Association – No Objections
- 3) Shepherds Cot Trust – No objections
- 4) Crouch End Open Space and Playing Fields – No objections subject to tree protection plan being followed, light shielding and timing system for floodlights and submission of construction management plan.
- 5) Natural England – No comments received
- 6) RSPB London – No comments received

4. LOCAL REPRESENTATIONS

4.1 The application has been publicised by way of press advert, site notice and 4 letters. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses:

Objecting: 1

Supporting: 59

Neither: 1

The following issues were raised in response to the consultation and are addressed in Section 5 of this report.

- Impact of floodlights
- Consideration of entrance; and
- Impact on bats.

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The main planning considerations raised by the proposed development are:

1. Principle of Development;
2. Design & Appearance;
3. Impact on neighbouring amenity;
4. Ecology & Wildlife;
5. Transport Considerations; and
6. Impact on Trees.

Principle of Development

5.2 The principle of provision and improvement of outdoor leisure facilities is supported by Sports facilities are also supported by Local Plan Policies SP14 'Health and Well-Being' and SP15 'Culture and Leisure' which encourages the enhancement of leisure facilities and Policy DM20 'Open space and green grid' of the Development Management DPD provided that they are of a high standard of design and quality, do not detrimentally impact upon nature conservation and biodiversity and do not adversely detract from the overall function, amenity, character and appearance of the park or open space. Policy SP16 'Community Facilities' which seeks to ensure that appropriate improvement and enhancements, and where possible, protection of community facilities and services are provided for Haringey's communities.

5.3 This must be balanced against the requirement to protect Metropolitan Open Land (MOL). In this respect London Plan Policy G3 states that the strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Local Plan Policy SP13 'Open Space and Biodiversity' requires new developments to protect and improve Haringey's open spaces and states that all new development shall protect and enhance the borough's Green Belt, designated Metropolitan Open Land from inappropriate development.

5.4 Paragraph 145 of the (National Planning Policy Framework) NPPF lists the types of development which are appropriate in the Green Belt. These include 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.

5.5 Paragraph 147 of the NPPF (2021) states that inappropriate development, by definition, harmful to Green Belt should not be approved except in very special circumstances. Paragraph 148 states that construction of new buildings should be regarded as inappropriate in MOL unless it complies with a stated exception. Exception (b) states '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 MOL and do not conflict with the purposes of including land within it'.

5.6 It is noted that the NPPF (148b) refers to the provision of 'appropriate' facilities for outdoor sport as exceptional development, rather than 'essential' facilities as was the case previously. The term 'essential' implies that the proposed facility should be necessary to the functioning of the specific outdoor activities provided on site. The word 'appropriate' implies that the use should be suitably linked, which it is accepted is not as stringent as the previous requirement.

5.7 This broader area known as Crouch End Playing fields/ Shepherds Cot site is a patchwork of open recreational fields and hard surfaced sports pitches accessible by tree lined roads and paths. The siting of the new club house given its subordinate nature would not affect views or compromise the openness and visual amenities of the MOL., nor would the other aspects of the proposed scheme.

5.8 It is recognised that the additional floodlighting is required to enable the club to meet existing current demand for court time particularly during the winter months, which would be supported by Local and London Plan policies. Officers note that floodlighting is now a common requirement for amateur tennis clubs and supported by the LTA. The information provided demonstrates that spill beyond the immediate confines of the court areas are minimised. Furthermore, it is recognised that the nearest residential properties are a significant distance away.

5.9 It is recognised that with the use of LED fittings such floodlighting can be individually switched on and off automatically when not in use. The use of LED fittings will permit instant on and off switching with no warmup periods. The specified times hours of use indicated are considered reasonable.

5.10 The proposal also seeks to change the current use of the site from 'garden' to 'sports use'. This is also considered acceptable as the nature of the use is predominantly for uses pertaining to tennis.

5.11 The proposed development is considered as appropriate development within the MOL and would have no significant impact on the openness of the MOL or result in urban sprawl. The proposals would therefore be in compliance with the aforementioned policies and would provide an improved sporting facility.

Design, Appearance & Impact on MOL

5.12 London Plan (2021) policies emphasise the importance of high-quality and seek to optimise site capacity through a design-led approach. Policy D3 'Delivering good design' states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to street hierarchy, building types, forms and proportions.

5.13 Local Plan Policy SP11 (2017) and Development Management Development Plan Document (DPD) Policy DM1 seek to secure the highest standard of design which respects local context and character to contribute to the creation and enhancement of Haringey's sense of place and identity. DPD Policy DM1 'Delivering High Quality Design' requires development proposals to meet a range of criteria having regard to the following: building heights; form, scale and massing prevailing around the site; urban grain; sense of enclosure and where appropriate following existing building lines; rhythm of neighbouring or local regular plot and building widths; active, lively frontages to public realm; and distinctive local architectural styles, detailing and materials.

5.14 As pointed out above the site is located within Metropolitan Open Land (MOL) and this designation severely limits the use of the site and buildings and the opportunities for development. The London Plan states that land designated as MOL is the same as 'Green Belt' in terms of protection from development. Policy SP13 of the Local requires that the character and quality of MOL will be safeguarded from inappropriate development.

5.15 The character and quality of the land in question is within an area that is already enclosed by fencing around the existing tennis courts occupied by Brookside.

Clubhouse

5.16 The proposed clubhouse is situated to the southern side of the subject site, to the north of the shared pedestrian/vehicles road. The clubhouse will be of single storey height, replacing the current clubhouse which is in a dilapidated state. The proposed clubhouse is of an irregular shape, comprising a width of 10.3m and length of 22.55m, and will be 6.1m at its highest point. Materials used in the scheme will consist of contemporary slatted timber rainscreen for external cladding and large glass openings. More of the proposed materials and finishes will be confirmed at the reserved matters stage. Overall, the siting, form, scale and materiality of the new club house is

considered to be acceptable. More specifically, its material finish and subordinate nature mean that it would integrate well into its surroundings.

Floodlights

5.17 The scheme proposes 12no. light poles at a height of 6m with angled floodlighting, similar to the neighbouring courts occupied by Georgians Lawn Tennis Club. The siting of the proposed floodlighting columns would have a minimal visual effect on the appearance of the site and the visual amenity of the area, given their slim design and separation and that there is existing fencing that surrounds the site. The physical changes here, namely the columns/ light fittings are compatible with the current use and appearance of the site and as such would have an acceptable impact upon the character and appearance of the wider area.

Tennis Courts

5.18 The scheme proposes to replace the existing 3 shale courts with 3 artificial clay courts. The resurfacing of the courts will see a proposed increase in level of approximately 0.3m. The width of the courts is also proposed to increase to from 42.1m to 46.33m, in order to ensure it is consistent with LTA standards. The amendments to the tennis courts are considered minor and consistent with its surrounds and would not harm the character and appearance of the surrounding area.

Other associated works

5.19 The plans show a new fence with a cricket ball protection net to the northern boundary of the site shared with Greenways. No details relating to the materials used or dimensions of the fence have been provided and this can be secured by way of condition prior to construction of this scheme.

5.20 Overall, the proposal is considered to respect its context and would enhance the use of the space and would not harm the MOL or detract from it. The proposal is acceptable and compliant with the aforementioned policies.

Impact on neighbouring amenity

5.21 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing.

5.22 DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring resident.

5.23 The proposed clubhouse/gym and provision of new floodlights are sited more than 150m away from residential homes. Due to the large separation distance involved it is not considered that the proposal would significantly harm nearby residential occupiers' amenity by reason of impacts on their light, outlook or sense of enclosure.

5.24 A Lighting Assessment prepared by Powerplus Group dated June 2023 has been submitted with the application. This concludes that the floodlighting would be sited and screened so as not to cause detrimental intrusion of light into adjacent premises. The lighting, located on 6m high columns is designed to direct light onto the courts and would not result in any harmful overspill of lighting into the atmosphere due to its design.

5.25 The hours of operation of the proposed floodlighting would be used Monday-Sunday 09:00 to 10:00.

5.26 It is important to note that there are currently no restrictions on the hours during which the courts can be used, although this would be dictated by daylight levels and the applicant has advised that during the summer months members play up until around 10:00. Officer's view that with the mitigation proposed here, there will be no significant change in noise levels associated with this facility given the current use of the site and given the separation distances in question.

5.27 It is considered that any increase in activity at and around the site in association with the hours of operation would not significantly harm the amenity of nearby residents, given the existing use, scale of development and the site characteristics.

5.28 Subject to the described hours of operation condition the proposal is considered to be policy compliant in the above regards.

Ecology & Wildlife

5.29 Policy G6 requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Local Plan Policy SP13 states that where possible, development should make a positive contribution to the protection, enhancement, creation and management of biodiversity and should protect and enhance Sites of Importance for Nature Conservation (SINCs). Furthermore, paragraph 125 of the NPPF states that "By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation".

5.30 The site is classified as SINC grade 1- (a site of nature conservation interest). An Ecological Assessment based on an extended Phase 1 habitat survey in June 2021 has been prepared and submitted with this pre-application inquiry. The report outlines that the development proposals are not considered likely to have any adverse effects upon the SBI1 or other local SINCs given their scale and nature.

5.31 The report outlines that the majority of the habitats present within the site are of limited intrinsic nature conservation value including the buildings, hardstanding, amenity grassland, bare ground and amenity planting. The habitats of value in the context of the site are the mature trees. The report outlines that none of the above habitats pose an overriding ecological constraint in themselves that would prevent the development proceeding.

5.32 The report outlines that careful consideration will be required for the lighting, in particular given to the boundary features of trees, with such lighting needing to be designed to avoid upward spill, using cowl as appropriate. As such, the design of the lighting has been angled to avoid such upward spill. The report also recommends that bat boxes can be installed on retained trees or integrated into new buildings.

Transport Considerations

5.33 London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

5.34 Local Plan Policy SP7 'Transport' states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety

by promoting public transport, walking, cycling, and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DPD Policy DM31 'Sustainable Transport'.

5.35 The site has a low PTAL value of 1A, considered 'poor' access to public transport services. There is one bus service accessible within a 6-minute walk, the only public transport service within the PTAL walk distance criteria for inclusion into the PTAL value calculation for the site.

5.36 Crouch End 'A' CPZ is in operation on the public roads to the west of the site, and Crouch End 'B' is in operation to the south of it. Both of these operate for two hours a day during weekdays ('A' operates between 10 – 12, 'B' operates between 14 – 16).

5.37 An additional level of traffic and parking demand would be expected from the enhanced facility proposed; however, this would be minor in nature and reasonably capable of being accommodated within the surrounding highways.

5.38 A Traffic Statement has been prepared by R Tusting dated May 2023 outlining construction arrangements and impact on the surrounding Highways network based on the proposed development. Furthermore, LBH Transport have been consulted on the application and raise no objection on parking, traffic or highway safety grounds. Recommended conditions include plans to be submitted for the design of on-site cycle parking in accordance with the London Plan and the submission of a Construction Management Plan (CMP). An event management plan and commercial travel plan are not considered necessary for this proposal. The proposal is considered to be policy compliant with respect to the abovementioned policies.

Impact on Trees

5.39 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

5.40 DM Policy (2017) DM1 'Delivering High Quality Design' states that the Council will expect development proposals to respond to trees on and close to the site.

5.41 A TPO exists for Crouch End Playing Fields which covers some of the trees impacted by this development proposal. The Oaks (T2, T4-7) adjacent to Greenways is covered by the TPO as does the Oak (T14) which is adjacent to the existing pavilion. The Horse chestnut (T16) is also covered by the TPO.

5.42 An arboricultural tree survey, and arboricultural impact assessment (AIS) has been carried out by Simon Pryce Arboriculture updated August 2023. The report has been carried out to British Standard 5837: 2012 Trees in relation to design, demolition and construction- Recommendations.

5.43 The current assumption is that the clinker used in the proposed tennis court resurfacing presents an overall hostile environment to tree roots and that most roots would be in the London clay. Trial excavation is proposed by hand or air spade to show the extent of the roots within the vicinity, and this will be required since there is a 50% encroachment into the root protection areas (RPAs) of the trees on the Greenways boundary, and as such, this will be conditioned. An arboricultural method statement (AMS) will be required for the cellular confinement system Cellweb (para 5.3), and this will also be conditioned. Details of new planting along Greenways is also required.

5.44 The report suggests that the proposed clubhouse/gym should have a permeable surface and this has been carefully considered and implemented within the proposed plans. The details of the proposed foundation works are to be agreed in writing by the LPA prior to any foundation works being

commenced. Subject to the recommended conditions, the proposed development can implement suitable measures to protect the trees within the vicinity of the site.

Conclusion

5.45 The proposal is considered acceptable and as such the development would provide sporting and community benefits in association with the existing use of the land and would have an acceptable impact on the character and appearance of the area, neighbour amenity and the surrounding transport network. The proposed development is found to be acceptable and compliant with planning policy in all other regards.

5.46 Should any areas of harm be identified these should be weighed against the public benefits, as part of the overall assessment of the proposal. The proposal is recommended for approval subject to conditions.

5.47 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

6. CIL APPLICABLE

Based on the information given on the plans, the Mayoral CIL charge will be £9,682.5 (150 sqm x £64.55) and the Haringey CIL charge will be £0 as the use is subject to a Nil Rate.

7. RECOMMENDATION

GRANT PLANNING PERMISSION subject to conditions:

Conditions:

- 1 The development of which this permission relates must be begun no later than whichever is the later of the following dates.

 (a) The expiration of 3 years from the date of this outline permission, or

 b) The expiration of 2 years from the approval of details referred to in Condition (2) or in the case of approval on different date, the approval of the last reserved matter.

 Reason: In order to comply with Section 92 of the Town & Country Planning Act 1990.
- 2 Details relating to the siting, design, external appearance (including facing materials) for the club house building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The submission of these details shall be made not later than the expiration of 3 years beginning with the date of outline planning permission.

 Reason: In order to comply with Section 92 of the Town & Country Planning Act 1990.
- 3 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

 Reason: For the avoidance of doubt and in the interests of proper planning.
- 4 The floodlights shall not be operated after 2200 hours on any day.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished consistent with Policy DM1 of The Development Management DPD 2017.

- 5 No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period unless a phasing scheme is submitted and approved in writing by the LPA demonstrating how the trees will be protected for each phase of the development in accordance with the requirements of this condition. The trees shall then be protected in accordance with the approved phasing scheme.

Reason: In order to ensure the safety and well-being of the trees on the site during constructional works that are to remain after building works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 6 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), an arboricultural method statement (AMS) and details of the proposed foundation works for the pavilion shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: In order to ensure the safety and well-being of the trees on the site during constructional works that are to remain after building works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 7 Prior to the commencement of development a landscaping scheme for new planting along the boundary with Greenways shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a schedule of species, sizes, and planting densities along with the specification for ground preparation and aftercare maintenance. The landscaping shall take place prior to the occupation of any part of the development (or in accordance with a programme agreed by the Local Planning Authority) and shall be maintained for a period of five years, such maintenance to include the replacement, within the next planting season, of any plants that die or become damaged with plants of the same size and species.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 8 The development hereby approved shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP) as supplied by Simon Pryce Arboriculture with trial excavation undertaken by hand or air spade. The commencement and findings of the trial excavation should obtain written approval of the Local Planning Authority. The works shall also be monitored accordingly by a suitably qualified Arboricultural consultant during and until the completion of the project.

Reason: In order to ensure the safety and well being of the trees adjacent to the site

during constructional works that are to remain after works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017

- 9 Piling, deep foundations and other intrusive groundworks using penetrative methods shall not be carried out other than with the prior written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In accordance with the requirements of paragraphs 170 and 178-180 of the NPPF 2019

- 10 Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The statement shall include the following matters and the development shall be undertaken in accordance with the details as approved:

- a) routing of construction vehicles, including a response to existing or known projected major building works at other sites in the vicinity and local works on the highway;
- b) the estimated number and type of vehicles per day/week;
- c) estimates for the number and type of parking suspensions that will be required;
- d) details of measures to protect pedestrians and other highway users from construction activities on the highway / private access road.

If the development is to be carried out in more than one phase, a phasing plan can be submitted for the written approval of the Local Planning Authority. No development of an approved phase can be commenced until a Construction Management Plan addressing the above matters has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policy T4 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

- 11 No development shall take place until details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable modes of transport in accordance with policies and standards set out in Policy T5 of London Plan 2021, Policy SP7 of the Haringey Local Plan 2017 and TfL's London Cycle Design Standards.

Informatives:

INFORMATIVE : Community Infrastructure Levy

Based on the information given on the plans, the Mayoral CIL charge will be £9,682.5 (150 sqm x £64.55) but there will be no Haringey CIL charge as this would not be within the chargeable use classes. This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.