From: Mark Furnish

Sent: Tuesday, August 6, 2024 5:15 PM
To: Josh Parker
Subject: RE: HGY/2024/0871 Tennis Club, Southern Road, Hornsey

Dear Josh,

Thank you again for contacting Sport England regarding the proposal and the letter received from the planning consultant.

The content of the consultants' letter, dated 24th June, does not change Sport England's position set out in our previous correspondence (attached) at this stage. I will, however, highlight some elements for your consideration.

Tennis Needs Assessment Fortis Green Tennis Club

The Needs Assessment states it has followed Sport England Assessing Needs and Opportunities Guidance (ANOG) which is welcomed and whilst much of the document has followed ANOG and Sport England has no reason to question, there are some elements that have not been considered therefore it is difficult for Sport England to conclude that the assessment, as a whole, is robust. Some of the reasons for this view are below:

- ANOG seeks effective consultation/collaboration with Sport Governing Bodies, which in this instance is the Lawn Tennis Association (LTA), however it does not appear that the LTA have inputted any data nor have had effective consultation to the extent described in ANOG. It also appears that only two local clubs were consulted. It is likely that this lack of engagement is the reason why the LTA and the Needs Assessment have different conclusions on current demand and future need. I understand the LTA were approached for comment on the scheme and did request data but they did not receive anything further.
- Table 5.1 is missing from the document therefore key data is not included which can be reviewed.
- In terms of member numbers, the Needs Assessment indicates a current membership figure of 104/105 members however I understand that the LTA have a higher figure for the club's membership. This would clearly have an impact on the assessment of current demand.
- The demand figures do not appear to take into account the current 68 non-members using the site mentioned in Paragraph 1.8, nor the impact on any works to the site would have on non-member use, which presumably would increase.

- In relation to the above two points, if I have understood correctly, if using the current level of members (104/105) and the regular non-member users (68) there is a current demand figure of 172/173 member and non-members but using the same formula as the Needs Assessment for capacity (and the LTA's benchmarking) the capacity of the proposed development would be 120 therefore the site would be overcapacity by 52/53.
- The future need/growth of tennis in the area and unmet/latent demand does not appear to be factored into the assessment therefore the future demand could exacerbate the over-capacity highlighted above.
- Spare capacity is mentioned in Paragraph 5.28 and highlights that many local clubs are at capacity, therefore if Tennis growth continues then clubs in the area may have difficulty meeting demand in future years.
- The site has clay courts which are less common than other surfaces, therefore the impact of a reduction in clay court numbers has not also been fully considered as the assessment focuses on all surfaces.

In light of the above, whilst Sport England would agree that the Needs Assessment is robust in some aspects there are some questions with the document therefore Sport England are unable to conclude that it is robust in its entirely or support the conclusions at this stage. This is especially given the LTA's view that there is a need for four courts at the site. More detail and consultation with the LTA (at least, but other clubs as well ideally) is required in Sport England's view.

National Planning Policy Framework

It is Sport England's contention that the application is not proposing a replacement sport facility but seeking the development of an existing a facility. The application is proposing on-site improvements and a reduction of a tennis court to construct residential accommodation on the site, not a replacement facility. It is obviously the Council's decision how to interpret the NPPF, Paragraph 103, but given that site improvements and a loss is proposed, then consideration should be given to Paragraph 103 (a) and (c). Sport England's Planning Principles can be found within its Planning for Sport Guidance at https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2024-07/Planning%20for%20Sport%20Guidance%20June%202019%20-%20Last%20Updated%20April%202024..pdf?VersionId=Kl5U5ev8R4TmeoxiEyLayqbyAaClS4PT which sets our Policy in relation to Protection and Enhancement (as well as Overarching and Provide Principles).

Mapledurham Case

The High Court Judgement relates more to Paragraph 103 (b) and the case itself concerned playing fields. However, as quoted in the consultants letter, the Judgement does indicate that replacement provision should be of equivalent or better than that lost. It continues to state that equivalent and better should take into consideration both quantity and quality and agrees with the Judgement in another case where it was stated that where spaces are used, such as allotments and playing fields or entirely accessible recreational areas, it would be "*...difficult if not impossible to justify a loss of quantity*" albeit it did recognise that sometimes the quantity requirement if applied too restrictively could prevent sensible development if in reality there is no overall loss. I note the consultants letter and it would be Sport England's contention that whilst new surfacing etc. and an upgraded clubhouse is of note, the loss of 25% of the playing area is significant, the LTA indicate a demand for four courts, depending how the Needs Assessment is interpreted (based on what I can draw from it with lack of information) there could be a case for four courts, none of the resultant courts would meet LTA dimensions (which could deter some players using the site) and reducing to three courts would result in only three games being played at once which could have significant implications during peak times. These are all significant concerns relating to the proposed reduction in the number of courts on the site.

Tennis Court Dimensions

As noted, the existing Tennis Courts do not meet LTA minimum dimensions and given that the proposal is seeking permission for significant works to the site, including to Tennis Courts, it is surprising that LTA minimum dimensions would not be met. Although, the 'status quo' of undersize provision would still remain, albeit with one less court, it is Sport England's view that this is not justification for a development to knowingly develop facilities that do not meet the necessary size. Ultimately Tennis can still be played but on substandard facilities, in size terms, which may have an impact on the enjoyment of some players who may then stop using the site or chose to join other clubs. This, and a reduction in courts, have a long-term negative impact on the site/club.

Tenure

Sport England (and the LTA) would happily review any heads of terms in any potential S.106 Agreement. If applicant (or their agents or Council) would like to discuss any of the detail of heads of terms with the LTA and myself then please do not hesitate to contact me. Sport England welcome the long-term commitment to secure the Tennis club at the site.

Noise

As noted in Sport England's original comments, the proposal would result in some properties being closer to Tennis Courts than at present. The hitting of Tennis balls, Tennis balls hitting

fencing and general noise associated with activity would generate noise. In addition, the proposal is also introducing a bar area so it is likely more players/spectators would be congregating on site when not playing. Noise factors are ultimately for the Council to consider rather than Sport England but limiting the use the site through planning conditions or Environmental Health sanctions could have an impact on the site both from a participation and income generation/financial sustainability perspective.

Overall, Sport England and LTA do welcome the intention to improve the Tennis Club site and improve the security of tenure however it has concerns with the impact of a loss of court to allow housing on the site at this stage so our concerns still remain. If I could have sight of the full Needs Assessment, i.e. the data behind the document and/or Table 5.1, and the elements I raised above are addressed/clarified then I should be in a better position to fully understand current and future need for the Tennis at the site/area. Once I fully understand the need, I could be in a better position to suggest a solution to address our and the LTA concerns.

I hope this is of assistance but if you any questions please do not hesitate to contact me.

Kind Regards

Mark Furnish Planning Manager - Planning & Active Environments

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We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our website, and our Data Protection Officer can be contacted by emailing Gaile Walters

From: Mark Furnish
Sent: Friday, August 2, 2024 3:07 PM
To: Josh Parker <Josh.Parker@haringey.gov.uk>
Subject: RE: HGY/2024/0871 Tennis Club, Southern Road, Hornsey

Hi Josh,

Hope you are well.

Sorry for the delay. I have been on leave.

There is a point I am clarifying internally regarding the Mapledurham case and I also have been liaising with the LTA, unfortunately due to the time of year with leave etc its taking a little longer than normal. I was hoping to get back to you today but that is unlikely now but I should be able to get back to you at the start of the next week.

Kind Regards

Mark Furnish Planning Manager - Planning & Active Environments