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PLANNING STATEMENT

Site: The Hornsey Club, Tivoli Road, Hornsey, London, N8 8RG.

Proposal:

Installation of four padel courts on the site of the existing hardstanding tennis courts

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1. Introduction

This Planning Statement has been prepared by 'Plan4Padel Ltd' for submission with an application for full planning permission for the *'installation of four padel courts on the site of the existing hardstanding tennis court'* at The Hornsey Club, Tivoli Road, Hornsey, London, N8 8RG.

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2. The Application Site and its Surroundings

The application site is the former tennis courts located at the end of Tivoli Road. The site currently accommodates two temporary 'pop up' padel courts.

The site forms part of the Hornsey Cricket Club site, which comprises a large area of open space to the north east of the application site. The cricket club accommodates a club house which includes a children's nursery, cricket ground, tennis courts and a car park. The application site is bounded by residential dwellings to the south with access off Tivoli Road.

The area is primarily residential in character. The site is located with Metropolitan Open Land and within the Crouch End Conservation Area.

3. The Proposal

One of the fastest growing sports in the world, Padel is an innovative form of tennis that's fun, easy to learn and very sociable. Played on a court about a third of the size of a tennis court, groups of mixed ages and abilities can easily play together.

This application seeks permission for the installation of four padel courts on the site of the existing hardstanding tennis courts at the cricket club. The application follows the grant of temporary planning permission for the *'Installation of four de-mountable Instant Padel courts on the site of the existing hardstanding tennis court for a temporary period until 31st October'*.

Each padel court measures 10m wide by 20m long and has a glazed and mesh surround of a height of 3m – 4m.

The padel courts would be open to the public from 8am to 8pm daily (Monday – Sunday). The courts are proposed to be lit in the evenings by court lights from 4pm – 8pm during the months of October to March. The court lights will be linked to a booking system and will only turn on if there is a court booking. The proposals do not include after school and holiday clubs for children.

It is anticipated that the majority of visitors to the site will be on foot, if users travel by car or bicycle they will use existing parking facilities within the cricket club.

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4. Relevant Planning History

HGY/2024/2070: Installation of four de-mountable Instant Padel courts on the site of the existing hardstanding tennis court for a temporary period until 31st October, 2024. Planning permission granted subject to conditions 15/10/2024.

5. Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The application must, therefore, be considered within the context of the Statutory Development Plan for Harringey, which comprises:

- National Planning Policy Framework (2023)
- The London Plan (2021)
- The Local Plan: Strategic Policies (adopted 2013, alterations 2017)
- The Local Plan: Development Management DPD (adopted 2017)
- The Local Plan: Site Allocations DPD (adopted 2017)

The above documents are, therefore, material considerations in the determination of this application.

6. Planning Considerations

The main planning considerations relevant to the proposed development are:

- The principle of development;
- Design and impact of the proposed development on visual amenity and the character and appearance of the conservation area;
- Impact on the amenity of adjacent occupiers; and
- Impact on the highways network

6.1 Principle of the development

The existing use of the site is tennis courts and these have been in situ for many years.

The NPPF recognises the importance of sports and recreation facilities as key mechanisms, which can promote *'healthy and safe communities'* (Chapter 8). The Framework states that that *"planning policies and decisions should aim to achieve healthy, inclusive, and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs"* (Paragraph 96).

Paragraph 102 of the NPPF acknowledges that access to opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Policy S5 (Sports and Recreation Facilities) of the London Plan encourages

proposals that increase or enhance the provisions of sports and recreation facilities.

Haringey's Strategic Policies SP14 (Health and Well-being), SP15 (Culture and Leisure), and SP16 (Community Facilities) all support the provision of sporting facilities. Specifically, SP15 states the aim of *"the protection and enhancement of sporting and leisure facilities in areas of deficiency"*.

The principle of padel courts in this location, therefore, accords with the Development Plan in these respects.

The site is located within Metropolitan Open Land. Policy G3 of the London Plan (2021) states that *'Metropolitan Open Land is afforded the same level of protection as the Green belt'* and that *'MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the green belt'* and that MOL *'protects and enhances the open environment and improves Londoners' quality of life by providing localities which offer sporting and leisure use, heritage value, biodiversity, food growing and health benefits through encouraging walking, running and other physical activity'*.

The NPPF (2023) states at paragraph 152 and 153:

'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

Paragraph 154 (b) states that *'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.'*

Exceptions to this are:

b) the provision of appropriate facilities (in connection of 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 the land within it.'

Policy G3 of the London Plan, confirms that the above assessment in the NPPF applies to planning determinations within Metropolitan Open Land.

Paragraph 103 of the NPPF states that *'existing open space, sports and recreational buildings and land, including playing fields, should not be built upon unless: 'c) the development is for alternative sports and recreational provision, the benefits clearly outweigh the loss of the current or former use'*.

Haringey's Development Management DMD states that *'new development shall protect and improve Haringey's parks and open spaces. All new development shall: protect and enhance, and where possible, extend the existing boundaries of the boroughs green belt, designated Metropolitan Open Land and other open spaces from inappropriate development'*.

The proposed installation of four permanent padel courts follows the grant of a temporary permission for four 'pop up' demountable padel courts from July to October 2024.

This application, albeit on a temporary basis, was considered appropriate development in MOL and acceptable in principle.

The development is solely related to the provision of outdoor sport and thus complies with the tests as described within paragraphs 154 (b) and 103 of the National Planning Policy Framework.

The proposed padel courts replace existing tennis courts with associated fencing and temporary padel courts. The courts measure 20m x 10m and include fencing and a transparent glass panel around the perimeter, which ranges in height from 3m to 4m. We contend the proposal would preserve the openness of the MOL and would not conflict with the purposes of including land within it.

The proposal therefore represents an appropriate form of development in MOL, which is acceptable in principle and compliant with the NPPF, the London Plan and the development plan for Haringey.

6.2 Impact on the character and appearance of the conservation area

The proposal seeks permission for the installation of four padel courts on the existing tennis courts at the end of Tivoli Road, the site is within the Crouch End Conservation Area.

Policy D3 of the London Plan (2021) states, inter alia, 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 existing and emerging street hierarchy, building types, forms and proportions."*

Policy DM9, Management of the Historic Environment Haringey's Heritage Assets, states: *'A Development that conserves and enhances the significance of a heritage asset and its setting will be supported.'*

The proposed padel courts are of a standard size and design with enclosures made from transparent mesh and glazed panels of 3 - 4m high which are similar to the existing fencing surrounding the tennis courts.

The height of the padel court enclosures is not excessive when perceived in the wider built context and environment. The courts would not appear incongruous or excessive in scale and bulk when viewed from the surrounding area.

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The padel courts are of a high quality design and are not materially different to the existing use of the site. The Applicant considers the proposals to be acceptable in terms of design and appearance.

Officers determined in the previous application the proposal would not cause material harm to visual amenity and the character and appearance of the conservation area.

The Officer's delegated report states:

'The padel courts are not considered to be unduly detrimental to the character and appearance of the area. The site had been previously used for tennis courts, and padel uses a near identical style of court. As no associated buildings are proposed as part of this application the padel courts are not considered to be materially different to the previous use of the site and is therefore considered acceptable in this regard.'

In view of the above, the Applicant contends the visual impacts of the proposed padel courts are acceptable in this instance and would not be out of keeping with the established sports facilities onsite. The courts are of an acceptable design and appearance and would preserve and enhance the character and appearance of the street scene and conservation area generally. The proposal thus accords with the Councils adopted policies in this regard.

6.3 Impact on the amenity of adjacent occupiers

Policy DM1 (D) seeks to ensure a high standard of privacy and amenity for the development's users and neighbours.

'The Council will support proposals that:

- a. Provide appropriate sunlight, daylight and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land;*
- b. Provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development; and*
- c. Address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development'*

Given the design, size and position of the courts in relation to the adjacent residential properties there would be no impact in terms of loss of light, visual intrusion or loss of privacy. The main issues in relation to impact on residential amenity relate to noise and light pollution, each shall be examined in turn.

i) Noise Impact

In any noise assessment on the impact on residential amenity consideration has to be given to the existing tennis use of the site and the temporary permission for the four demountable padel courts.

The site has an established level a background noise resulting from the adjacent tennis courts and other sport and recreational uses. The primary consideration in this instance is

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therefore, the differences between padel and tennis and the noise they generate.

The proposed courts will replace the existing temporary courts, which have now been in situ for 5 months. The Applicant is not aware of any noise complaints being reported to the Council during this time. Whilst we acknowledge that objections were received to the previous application on noise grounds the Officer's delegated report states:

'Officers have considered the relevant objections received and consider, that although there may be some degree of increase in noise due to the bats used that this would be within acceptable tolerances of noise generation for physical activity within metropolitan open land. It is further considered by officers that, as there is insufficient information that details an increased amenity impact from padel over that of tennis, a temporary planning permission would be an acceptable means of determining the impact of the development.'

As stated above we are not aware of any noise complaints regarding the use of the padel courts over the last 5 months and we contend there is no material difference in noise levels and the character of the noise from the use of padel courts over tennis courts.

In addition, the padel courts are located on an established site as a sports and recreational facility. The noise from existing tennis courts and nearby sporting facilities is part of the character of the area and should be expected by local residents. The noise generated by the padel courts should make no salient difference to that of the existing tennis courts.

In view of the above, we contend the proposed padel courts will not generate nuisance levels of noise greater than the existing tennis courts onsite to a degree that would significantly affect the life of residents.

ii) Lighting Impact

The application includes flood lights, these will only be used from October to March and will only be switched on from 4pm – 8pm when the courts are in use. The lights will be linked to the booking system meaning that whilst the lights will only be on for up to a maximum of 4 hours per day, the lights will only be on if there is a booking. If there is no booking the lights will not be switched on.

During the months of October to March, it is only essential to have floodlights on between the hours of 4pm and 8pm, given there are already lights in the car park as well as street lights directly adjacent and facing residential properties, the Applicant is of the opinion that this would not have any material or significant impact on local amenities

Whilst the courts are located adjacent to residential properties the lights would only be used infrequently when the courts are in use between the hours of 4pm – 8pm, during the winter months and weather permitting. Conditions can be imposed on the grant of permission to regulate the vertical illumination lux levels, the design, location, aiming and shielding luminaries of the floodlights and ensure the amenity of occupiers of surrounding

premises are not adversely affected. Such conditions can be worded so these details can be provided prior to the installation of the lighting.

In view of the above, we contend the proposed padel courts would not generate noise nuisance levels greater than the existing tennis courts onsite to a degree that would significantly affect the life of residents.

The proposed limited hours of lighting of the courts during the winter months, would not give rise to unacceptable levels of luminance over and above existing levels in the area that would cause material harm to the amenities of adjacent occupiers.

Other impacts to the neighbours have been assessed in the above and are acceptable. We, therefore, submit that the proposal would not present a significant impact on neighbouring amenity over and above that of the existing tennis courts and as such the proposal would comply with the objectives of the Councils adopted policies in this regard.

6.4 Impact on the Highways Network

The application site is located in an urban location where accessibility by walking, cycling and public transport is very good, despite the PTAL rating of 1a.

Policy T4 of the London Plan (Assessing the mitigating Transport Impacts), states that *'development plans and development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity'*.

Policy T6 (Car Parking) states that *'car parking should be in line with the levels of existing and future public transport accessibility and connectivity'* and that *'car free development should be the starting point for all development, proposals in places that are (or planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite')*. *Car free development has no general parking but should still provide disabled persons parking in line with part E of this policy'*.

Part L of Policy T6 states that *'where sites are re-developed, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy'*.

Policy DM31 (Sustainable Transport) of the Haringey Development Management Document states that *'the council will require that developments with high trip generating characteristics locate where public transport accessibility is high and car parking is minimised to mitigate generated car travel'*. It further states that *'the council will require the submission of a Travel Plan and a transport assessment/ statement in support of development proposals in accordance with the Transport for London thresholds'*.

Policy DM32 (Parking) states that *'development proposals will be assessed against the car parking and cycle parking standards set out in the London Plan'* and further states that *'the council will support proposals for new development with limited or no on-site*

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parking where: a) there are alternative and accessible means of transport available, b) public transport accessibility is at least 4 as defined in the public transport accessibility index, c) a controlled CPZ exists or will be provided prior to the occupation of development, d) parking is provided for disabled people'.

The application site is located in an urban location where accessibility by walking, cycling and public transport is very good. The site is situated adjacent to an area of unmarked car parking and is accessed via Tivoli Road.

The application is supported with a transport statement that details the likely trip generation for the courts and how this is comparable to the previous tennis use. No traffic impact or car parking issues have been recorded over the last 5 months since the temporary courts were installed.

The Transport Statement concludes that the proposal would not have an adverse impact on existing parking and highway conditions locally and as such the proposal complies with policies DM31 and DM32 of the local plan.

6.5 Biodiversity Net Gain

The site currently accommodates existing tennis courts, the Biodiversity Net Gain de minimis exemption therefore applies to the site i.e. there is no requirement to provide biodiversity net gain as part of this application.

For clarity:

- the development does not impact on any onsite priority habitat;
- the existing tennis courts and hardstanding area at the subject site are classified as developed land: sealed surfaces which have a biodiversity value of zero under the statutory biodiversity metric; and
- there are no other onsite habitats.

7. Conclusion

For the reasons detailed above we contend the proposal is an acceptable form of development that is appropriate development within MOL and is acceptable in principle.

The proposed padel courts would not cause material harm to the visual amenities and character and appearance of the site or conservation area. The proposal would not result in harm to the amenities currently enjoyed by the occupiers of the adjacent and surrounding properties and the proposal would not have an adverse impact on traffic and parking conditions in the locality.

We contend the proposal accords with the provisions of the development plan for Haringey and request that the application be approved subject to any conditions deemed reasonable and necessary.