

London Borough of Haringey

FAO: Adam Silverwood

By email only

31st March 2025

**Town & Country Planning (Development Management Procedure) (England)
Order 2015**

Application Reference: HGY/2024/3278

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

Proposal: Installation of four Padel Courts on existing hardstanding. This application is located on Metropolitan Open Land within Crouch End Conservation Area.

Sport England Reference: PA/24/L/HR/69400

Sport England provided comments to the Local Planning Authority on 15th January 2025 regarding its assessment of the above planning application against its Planning Policy and the National Planning Policy Framework, particularly paragraph 104 (see Appendix 1). Since submitting these comments, the applicant has contacted Sport England setting out the need for the proposal. Sport England has also liaised again with the Lawn Tennis Association (LTA), as they are the Governing Body for Tennis and Padel, who have also been in contact with the Cricket Club. Sport England is now in a position to update its position.

The applicant has indicated that since installing Padel Courts, which was the subject of a recent temporary planning permission, there has been 1,800 people on their booking app and that they have been running weekly group/coaching sessions. Although this falls short of a robust assessment of need, Sport England does acknowledge this usage that has been generated. The LTA has now advised that there is likely to be demand for the proposed Courts and that there is sufficient local need for the Padel Courts at nearby Georgians Tennis Club and those proposed in this application. It could be argued, therefore, that there is a local need for additional Padel provision.

The LTA previously indicated that there is also significant demand for Tennis in the area. Sport England and the LTA have also been made aware that, prior to the installation of the temporary Padel Courts, the Tennis Courts were used by Crouch End Tennis Academy (CETA). The Cricket Club have also confirmed this to the LTA.

The LTA have also indicated that unfortunately the Cricket Club have been unable to maintain the Tennis Courts which has led them to deteriorate. It appears unlikely that this situation will change at this stage.

As a result, the situation is that there are existing Tennis Courts that have lacked the investment and maintenance needed thus resulting in a less than ideal facility. It appears that this situation will not change in the immediate future consequently if the Local Planning Authority were minded to refuse the application the Tennis provision could deteriorate further and may, in time, become unusable. The installation of Padel facilities, therefore, would represent investment into this area of the site for sport and physical activity purposes for which there is arguably a local need, albeit not in the sport originally played in this area. In this context, Sport England is minded to reconsider its position as it could be considered that there is greater certainty of facilities being maintained on the site compared to the situation prior to the installation of the temporary Padel Courts.

The applicant has, however, confirmed that there is a contractual agreement with the Cricket Club to use this area of the site for Padel for ten years. Although this secures the use for the medium term, if Padel were to be removed from the site after this period it is likely to leave an area unusable for sport. It is important that the sporting use of this area continues, especially given that there appears to be Tennis demand in the area. In consequence, once Padel Courts are removed this area should be resurfaced and the Tennis Courts reinstated. Sport England considers that this could be secured by a Planning Condition if the Local Planning Authority are minded to approve.

Sport England is aware that the proposed development would result in CETA being unable to use the site. This is regrettable as Sport England has been made aware of the opportunities CETA provides to the local community to play Tennis and be physically active. It is disappointing that the impact on CETA was not mitigated prior to the installation of the temporary Padel facilities and that the proposal does not appear to have considered advice provided by Sport England (and LTA) in its comments to the previous application for temporary provision and its initial comments to the current application, which may have reduced the impact for CETA. As a result, to ensure that the proposal would be beneficial to sport, not just Padel, Sport England consider that a relocation plan should be developed that ensures that CETA can be relocated to another facility locally without causing CETA significant detriment. Again, this could be a requirement of a Planning Condition if the Local Planning Authority were minded to approve the application.

Overall, the applicant and LTA have now indicated that there is demand/need for Padel facilities in this area (taking into consideration the facilities at Georgians Tennis Club) and that the proposal should create new facilities that would be suitably managed and maintained. Sport England is still concerned with the impact on Tennis, particularly CETA, but, on balance, it is considered that the harm could be

mitigated to some extent by the Planning Conditions recommend above in this instance.

In relation to the long-term vision for Padel and/or Tennis at the site, the LTA have advised the following:

“There is some derelict land in-between the existing 3 tennis courts and cricket nets which could be developed into a tennis court, enabling 4 padel courts on the 3 existing tennis courts and having a tennis court for pay and play.

The key things we said moving forwards that we would want to see, would be:

- *A robust and clear 10-year contractual agreement with the Padel Pod is put in place detailing fees to be paid to the club (annual rental + profit share) to ensure clear income generation for the club.*
- *Income generated by Padel should be ringfenced to convert derelict land into a tennis court and to maintain tennis and padel facilities moving forwards. Any surplus above this could then be considered for other things however padel and tennis must be the priority to ensure sustainability, not cricket.*
- *After the 10-year agreement with Padel Pod, the tennis courts should be re-instated and resurfaced to ensure a high-quality playing surface for tennis.*
- *The new tennis court could easily be put on to Clubspark to enable pay & play tennis which would help generate extra income and allow for both sports to be catered for at the club.*
- *The club will register with the LTA each year.*

If the 4 Padel courts could include covers and floodlights this would enable year-round play and extend playing time which we would be supportive of.”

Sport England considers that a Tennis and Padel Action Plan should be developed taking into consideration the LTA’s advice. This would develop a long-term vision for Tennis and Padel at the site for the benefit of the local community. As this is likely to be led by the Cricket Club, rather than the applicant, Sport England would defer to the Local Planning Authority whether it considers it appropriate to impose a Planning Condition or an Informative to this effect if it were minded to approve.

Sport England’s Position

Given the above, Sport England now does **not object** to the application because it is considered that the benefits to sport are, on balance, outweighed by the harm caused, consequently the application is now considered to align with Exception 5 of our Playing Fields Policy and Paragraph 104 of the NPPF. The absence of an objection is subject to the following conditions being imposed should the Local Planning Authority resolve to approve the application:

- 1) *Once the use of the development hereby permitted ceases, the Padel Courts and associated facilities shall be cleared from the site and the Tennis Courts reinstated to a playable quality in accordance with Lawn Tennis Association Guidance.*

Reason: To ensure that the long-term sporting use of the area is secured.

- 2) *Prior to first use of the development hereby permitted, a relocation plan that demonstrates where Crouch End Tennis Academy will be relocated, when they can access the facility, cost and the timescale for relocation shall be submitted to and approved by the Local Planning Authority. The relocation plan shall then be carried out in full.*

Reason: To ensure continuity of the Tennis use of the application site thus reducing the impact on Tennis.

If the Local Planning Authority is minded to approve the application without imposing the above conditions, then Sport England objects to the application as it is not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 104 of the NPPF.

If you wish to amend the wording of the condition(s) or use another mechanism in lieu of the condition(s), please contact us to discuss. Sport England does not object to amendments to conditions, provided they achieve the same outcome, and we are involved in any amendments.

If the Local Planning Authority are minded to impose a condition regarding a Tennis and Padel Action Plan, Sport England advise the following wording:

- 03) *A Tennis and Padel Action Plan, developed with the Lawn Tennis Association (LTA), shall be submitted to and approved by the Local Planning Authority. The Action Plan shall at least include:*

- *A robust and clear 10-year contractual agreement with Padel Pod detailing fees to be paid to the club (annual rental + profit share) to ensure clear income generation for the club.*
- *Indication that income generated by Padel would be ringfenced to convert derelict land into a tennis court and to maintain tennis and padel facilities. Any surplus could then be considered for other sporting provision but with Padel and Tennis being the priority.*
- *Any new Tennis Court(s) to use Clubspark to enable pay & play tennis to generate extra income.*
- *The club will register with the LTA each year.*

Reason: To ensure the long-term sustainability of Padel and potentially Tennis at the site.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s).

If you would like any further information or advice, please the undersigned.

Yours sincerely,

Mark Furnish

Planning Manager

Sport England

Cc: Amanda Robinson, Delivery Manager, Lawn Tennis Association

Appendix 1 – Sport England comments dated 15th January 2025

London Borough of Haringey

FAO: Adam Silverwood

By email only

15th January 2025

Town & Country Planning (Development Management Procedure) (England) Order 2015

Application Reference: HGY/2024/3278

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

Proposal: Installation of four Padel Courts on existing hardstanding. This application is located on Metropolitan Open Land within Crouch End Conservation Area.

Sport England Reference: PA/24/L/HR/69400

Thank you for consulting Sport England on the above application.

Sport England – Statutory Consultee Role and Policy

We understand that you have consulted us as a statutory consultee in line with the above Order since the Tennis Courts, in physical and functional terms, form part of the wider Hornsey Cricket Club site. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 104, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions. The exceptions are provided in the Annex to this response.

The Proposal and Impact on Playing Field

The application seeks to install four Padel Courts at the site which would result in the loss of three Tennis Courts.

Assessment against Sport England's Playing Fields Policy and NPPF

Although temporary Padel Courts were recently installed, and granted planning permission, the principle for the permanent loss of Tennis provision and the provision of Padel facilities should be examined.

The submitted documents still do not fully set out a local need/demand for Padel Courts at the site nor do they explain the existing use/demand of the Tennis Courts at the site, therefore the current and future strategic need for the Tennis Courts and Padel Courts are not fully understood at this stage. However, the Lawn Tennis Association (LTA), who are the Governing Body for Padel and Tennis, have indicated that there is a significant demand for Tennis in the area although they do not have usage data on these specific Tennis Courts. In addition, since submitting its comments to the temporary application, Sport England (and the LTA) have been made aware that there was use of the Tennis Courts by a local Tennis Academy throughout the year until the temporary Courts were installed prior to the grant of the temporary planning permission. It would appear, therefore, that there is a need for Tennis provision in this location.

Sport England understands that there are currently no Padel Courts within the area however planning permission has now been granted for four Padel Courts at Georgians Tennis Club which is in close vicinity to this application site. It is not clear if these Courts would address the local need for Padel or more local Padel provision would be required.

Since the strategic need for Tennis or Padel Courts are not fully known it is difficult to fully understand the benefits of the proposal compared to the harm that would cause to Tennis. However, it does appear that the Tennis Courts were used prior to the installation of the temporary Padel Courts and the LTA highlight that there is high Tennis demand locally which suggests that the Tennis Courts at this site serve a local need. The LTA, therefore, are not supportive of the loss of the three Tennis Courts. Furthermore, there will be Padel Courts developed locally that could accommodate some local need. In this context, Sport England considers the harm to Tennis is not outweighed by the unknown benefits to Padel at this stage.

In terms of design, there appears to be limited details provided therefore it is not fully clear if the proposed Padel Courts would meet LTA guidance.

Sport England's Position

Given the above, Sport England raises a **statutory objection** to the application because it is not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 104 of the NPPF.

Potential to Overcome the Statutory Objection

If the applicant were to demonstrate a local need for the proposed Padel Courts and those already approved at Georgians Tennis Club, then Sport England and the LTA recommended consider other areas of the site to install the Courts. There appears to be a disused area (which appears to have once been Tennis Courts) in between the Cricket Nets and the Tennis Courts forming the application site (i.e. inside the red boundary line) which could be utilised. Sport England recommend that the applicant liaise with the LTA and England and Wales Cricket Board (ECB) for advice on design and any impact on the Cricket Pitch (through ball strike risk) and Cricket Nets.

Determining the Application

Since it appears that the Tennis Courts have been used by schools, should the local planning authority be minded to approve this application contrary to Sport England's statutory objection, then the Town and Country Planning (Consultation) (England) Direction 2024 requires the application to be referred to the Secretary of State, via the National Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s).

If you would like any further information or advice, please the undersigned.

Yours sincerely,

Mark Furnish

Planning Manager
Sport England

Annex

The Five Exceptions to Sport England's Playing Fields Policy

Exception 1

A robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

Exception 2

The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Exception 3

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
 - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
 - reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
 - result in the loss of other sporting provision or ancillary facilities on the site;
- or
- prejudice the use of any remaining areas of playing field on the site.

Exception 4

The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Exception 5

The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

The full 'Playing Fields Policy and Guidance Document' is available to view at:
www.sportengland.org/playingfieldspolicy