



Officer Report

Application Number:	HGY/2024/3278
Application Type:	Full planning permission
Address:	The Hornsey Club, Tivoli Road, Hornsey, London, N8 8RG
Proposal:	Installation of four Padel courts on existing hardstanding
Case Officer:	Adam Silverwood
Valid Date:	02/12/2024
Applicant:	Mr J Magnus
Agent:	M Mercer

1. Proposed development

This is an application for the installation of four Padel courts on existing hardstanding that has had previous use as a tennis court. The Padel courts are located at the southeastern corner of Hornsea Cricket Club and is most directly accessed by Tivoli Road. The site is boarded by residential properties to the south and east, with a leisure centre to the north.

The application site is on the boundary of Crouch End Conservation Area and is classified as Metropolitan Open Land. This application follows on from an application for the installation of four de-mountable Instant Padel courts on this same temporary period until 31st October, 2024.

2. Site and Surroundings

The application site is located at the end of Tivoli Road and is primarily residential in character, although additionally includes the Hornsea Cricket Club. There is a large area of open space to the immediate north and east of the site that serves the cricket club. The application site is bounded to its south by residential dwellings and is primarily accessed by Tivoli Road.

3. Relevant Planning and Enforcement 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
- Approved: 15/10/2024

HGY/2014/0897 - Erection of a three-lane enclosed outdoor cricket net facility on the unused end tennis court. Approved 13/06/2014.

4. Consultation response

The following were consulted regarding the application:

- LBH Conservation Officer
- LBH Transportation
- LBH Noise Team
- Sport England

The following responses were received:

Internal:

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.

LBH Noise – Raise no objection

External:

Sport England - No longer objects to the application, subject to key conditions being imposed and as such is considered to meet Exception 5 of Sport England's Playing Fields Policy and Paragraph 104 of the NPPF.

Padel Court Demand & Usage:

- The applicant reported strong interest in Padel Courts (1,800 app users and weekly sessions).
- The LTA confirmed local demand for Padel, including at a nearby club.
- The Cricket Club has not maintained the existing Tennis Courts, which have deteriorated.

Concerns:

- The loss of Tennis provision, especially for Crouch End Tennis Academy (CETA).
- The lack of prior mitigation for CETA's displacement.
- Risk of the site becoming unusable for sport after Padel use ends.

Proposed Conditions to Approve Application:

1. Reinstatement of Tennis Courts after Padel use ends.
2. A 10-year contractual agreement with Padel Pod to generate income for future sports provision.
3. Ringfencing income from Padel to improve both Padel and Tennis facilities, including converting derelict land into a new Tennis Court.
4. Club to register annually with the LTA and use Clubspark for pay & play Tennis.
5. Relocation Plan for CETA to ensure minimal disruption and continued access to Tennis.

Optional Additional Measure:

- A Tennis and Padel Action Plan, co-developed with the LTA, to set out a long-term vision for both sports at the site.

5. Local representations

The application has been publicised by way of a site notice displayed in the vicinity of the site, a notice placed in the local press, and letters sent to neighbouring properties. 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: 121

Objecting: 25

Supporting: 109

Representations: 2

The 98 representations in support of the application state the following reasons:

- Positive impact upon community
- Increased and varied recreational opportunities locally and for all ages
- Create jobs within the local economy

- Positive upon local health
- Negative Impacts can be mitigated
- Positive use of underutilised space
- Supplying an emerging need for a new sport
- Previous tennis courts were under used
- Quality of life benefits
- Development is reasonable and appropriate for the area

The 21 responses in objection to the proposed application raise the following concerns:

- Planning application has not been validated correctly/ consulted on correctly
- Omits necessary details within application form
- Failure to notify adjacent property;
- Noise Impacts with sharp, frequent bat-to-wall impacts, distinctly different from tennis
- 08:00–20:00 operational hours will lead to continuous intrusive noise;
- Transport Statement is flawed, relying on speculative modelling and ignoring cumulative impacts from other site uses
- Development on Metropolitan Open Land
- Potential for erosion of the designation
- Potential for light pollution
- Potential impact on traffic and parking availability on Tivoli Road
- Increase in rubbish and behaviour problems
- Tennis courts were in active use
- Greater noise impact due to harder Padel bats

The application was revised due to Officer concerns related to the proximity of the Padel Courts to adjacent properties. This re-consultation ended on 06/06/2025 and additional responses were received.

The comments in support and objection re-iterate the same concerns and support as before re-consultation. The representation states conditional support on the location of the Padel Courts, no installation of floodlighting or available play times to be extended later.

6. Material Planning Considerations

The main planning considerations raised by the proposed development are:

1. Principle of the development;

2. Design and impact of the proposed development on the character and appearance of the conservation area;
3. Impact on the amenity of adjoining occupiers;
4. Impact upon the highways network.

Principle of the development / Impact on MOL

Other Sports Use

National Planning Policy Framework (NPPF) paragraph 102 makes it clear that access to a network of high-quality open spaces and opportunities for sport and physical activity is essential for the health and well-being of communities. Similarly, paragraph 104 emphasises that existing open space, sports, and recreational land, including formal play spaces, should not be developed unless the project provides alternative sports and recreational facilities. Policy G3 of the London Plan (2021) equally recognises the importance of Metropolitan Open Land (MOL) and highlights that MOL plays a vital role in supporting sports and leisure activities, enhancing the open environment, and improving quality of life by encouraging physical activity.

From a planning perspective, the use of this site for padel does not constitute a change of use or require planning consent. Padel is a bat-and-ball game played on a court similar to tennis but on a smaller scale, with associated enclosures. As outlined below, the impact on the openness of the MOL is a key material planning consideration.

Impact on Metropolitan Open Land (MOL)

Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts, which also applies to MOL. The fundamental aim is to prevent urban sprawl by keeping land permanently open. When considering any planning application, the LPA must give substantial weight to any harm to the Green Belt or MOL, including harm to its openness.

In line with paragraph 154(b) of the NPPF LPAs should generally regard the construction of new buildings as inappropriate in the Green Belt. However, an exception is made for the provision of appropriate facilities related to the existing use of the land or a change of use, such as outdoor sport, outdoor recreation, cemeteries, burial grounds, and allotments, provided that these facilities preserve the openness of the MOL.

The proposed development clearly aligns with this exception, as it provides appropriate facilities connected to the use of the land for outdoor sport and recreation. As discussed in the next section, considering the current condition of the site, the proposed works would not impact on openness. Therefore, the development would

not conflict with the land's intended purpose or affect the visual and spatial qualities of the broader Crouch End Open Space.

Comments from Sport England

Sport England initially objected to the application but has since reconsidered its stance, acknowledging the high demand for tennis within the area and the broader trend of tennis courts being repurposed for padel regionally. In this case, it also recognises that the existing tennis courts have been poorly maintained. Sport England has recommended several planning conditions to be secured through the approval process. However, most of these conditions do not meet the tests outlined in the NPPF regarding enforceability, achievability, and relevance.

Planning conditions must be necessary, precise, and reasonable to ensure effective implementation while remaining directly related to planning matters. In this instance, several of the recommended conditions relate to contractual agreements between the landowners and Padel Pod, as well as between the landowners and CETA. Additionally, some of the conditions Sport England seeks to impose involve matters that extend beyond the red line boundary of this planning application.

As such, the Local Planning Authority (LPA) cannot impose conditions to regulate past or future contractual arrangements between the site's owners. Consequently, requirements such as a 10-year contractual agreement with Padel Pod to generate income supporting future sports provision, the ringfencing of income from padel to improve both padel and tennis facilities, and a Relocation Plan for CETA, are contractual matters between the relevant parties rather than legitimate planning conditions.

Regarding the use of Clubspark, discussions with the applicant have clarified that padel bookings primarily rely on two separate apps, making this matter unsuitable for control through planning conditions. One of Sport England's concerns is the potential removal of padel courts if they are no longer required. It is accepted that, should this situation arise, with the courts no longer needed they should be dismantled and removed to ensure that alternative recreational uses of the site are not jeopardised.

Design and impact on openness and on the character and appearance of the adjoining conservation area

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. London Plan Policy HC1, Local Plan policy SP12 and DM9 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance.

In line with the policies above consideration must be given to the structures being installed and their implications for the site's openness and overall appearance as well the setting and views into/ out of the adjoining conservation area.

The proposed application seeks permission for the installation of four padel courts within the footprint of previously used tennis courts. These courts would be enclosed with impact-resistant glass on the flank elevations, with metal fencing installed at the opposing ends. Each court would measure 20 metres by 10 metres, with glass flank walls reaching a height of 3 metres and metal fencing extending up to 4 metres, including the end elevations.

Comments have been provided by Haringey's Conservation Officer, who noted that the existing tennis courts are located at the end of Tivoli Road, within the Crouch End Conservation Area. Tivoli Road terminates with a row of garages, beyond which lie the cricket club and the development site. The consultee expressed concerns regarding the site's location at the road's terminus, making any development visible. However, the site itself is not within the conservation area but adjoins it, meaning its impact on the setting of the conservation area and views into it must be considered when determining this application.

As per amended plans, the associated structures for the padel courts would remain within the confines of the existing court and further back from the line of vision down Tivoli Road. As a result, the impact on the setting and views into the conservation area would not be significant or discernible. 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's appearance, its openness as part of MOL, or the character and appearance of the adjoining conservation area.

Impact on the amenity of adjoining occupiers

Paragraph 135 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should ensure developments create places that are safe, inclusive, and accessible, promoting health and well-being with a high standard of amenity for both existing and future users.

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, while Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

As noted above concerns have been raised by nearby residents that the use of padel at this site would have a greater negative impact on residential amenity compared to the previously existing tennis courts. These objections primarily cite the harder padel bats, which generate more noise than traditional stringed tennis rackets. Equally it is pointed out that amended plans were submitted moving the padel courts to further reduce potential impacts by increasing the distance between the courts and the nearest affected residential property.

To assess the application, a Noise Impact Assessment Report prepared by Aurcil Acoustic Consulting was submitted with this application, namely with the initial layout of the 4 courts. This report evaluates the worst-case scenario in which all four proposed courts are in use simultaneously within a one-hour period. A four-day unmanned environmental noise survey was conducted at the site, with activity noise measurements taken from a representative padel court.

As set out in the report noise sources with padel primarily include player vocalisations, ball impacts with the padel racket, and contact between the ball and the court enclosure. The assessment indicates that noise levels at the nearest window of 1 View Crescent could potentially experience a substantial noise level change, while changes for properties at 6 View Crescent and 36 Tivoli Road were considered negligible based on IEMA guidance criteria. In the case here it is noted that these houses at View Crescent are much later houses having been built on what was once open space and as such having been built next to tennis courts.

Specifically, the report further states that the worst-case property could experience an ambient noise level change of up to 8 dB during peak usage however as reflected above it is acknowledged that windows at 1 View Crescent already overlook the existing hardstanding and cricket ground, meaning residents have long been exposed to sport-related activity.

A typical specific noise level during the use of the representative permanent padel court has been set out in the noise report, along with the total LAeq (1 hour) predicted noise level at residential windows in relation to immediately neighbouring properties. When comparing predicted noise levels at these windows to existing ambient levels, the differences are outlined in the noise report and categorised in terms of noise impact—negligible, moderate, and substantial.

The noise report indicates that a +8 dB LAeq (1 hour) difference in relation to 1 View Crescent, with the courts originally positioned 2 meters from the boundary. However, with the proposed relocation of the courts to approximately 24 meters away, this

impact will be significantly reduced. 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. This should be developed to align and expand on matters outlined in Appendix C of the submitted noise impact assessment.

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.

Having assessed the application alongside the submitted noise impact assessment, Officers consider the proposed use of the site for padel courts acceptable, particularly when compared to the previous tennis court use. While it is acknowledged that padel may generate slightly higher noise levels, these would remain within acceptable tolerances for physical activity associated with this land/ the MOL.

Impact on the Highways Network

Policy T4 of the London Plan emphasises that development proposals should align with existing and planned transport infrastructure, ensuring access, capacity, and connectivity are effectively integrated. Policy T6 states that car parking should correspond to public transport accessibility, with developments designed to provide only the necessary level of parking. Part L of Policy T6 further specifies that when sites are redeveloped, parking levels should not exceed current policy standards. Additionally, Policy DM31 from the Haringey Development Management Document requires high-trip-generating developments to be located in areas with strong public transport links and minimal car parking to reduce reliance on car travel. It also mandates the submission of a Travel Plan and a transport assessment or statement, in line with Transport for London thresholds.

The site is accessed via Tivoli Road and is adjacent to an area of unmarked car parking. The application is accompanied by a transport statement detailing expected trip generation from the proposed padel courts with this acceptable given the scale of the development and the fact there is not a change of use in use in land use terms with this site.

The Officer's report accompanying planning application HGY/2024/2070 confirms that the installation of four padel courts was acceptable (para 6.7). The impact of the proposals was assessed in paragraphs 6.26 to 6.29, with paragraph 6.29 noting: "It is considered by officers that the use of padel, as a lesser-known sport, would not necessarily generate a higher trip generation over that of the previously existing use."

According to the Transport Statement, the padel courts would operate via a web-based pre-booking system between 8am and 8pm, with bookings lasting 60, 90, or 120 minutes with usage rates varying seasonally. In relation to the temporary consent during July to September, weekday bookings were 25 percent, while weekend bookings reached 55 percent with winter, usage dropping significantly. The statement also notes that 30 percent of games are singles, while 70 percent are doubles.

As a worst-case scenario if the courts were fully booked, daily traffic could reach 328 movements, however, real-world data from the past five months indicates lower usage. Specifically on busy summer weekends, recorded movements were around 180 per day, while weekday movements ranged between 16 and 80 (representing 5 to 15 percent of full capacity).

As noted, this former tennis facility included three courts, which supported after-school lessons and holiday camps for children aged four to fifteen years. These activities typically involved 20 children attending after-school lessons and 30 children participating in holiday camps, generating traffic from parents dropping off and picking up their children.

As outlined above in terms of parking demand, the site utilises an informal parking area south of the courts, which is also used by the cricket club in summer. Given this existing configuration of the broader site where parking arrangements have historically supported the tennis use and taking account of the number of spaces it is considered that the current parking provision is sufficient to accommodate both the padel use and cricket use, however details in respect of how this would be managed is viewed important to understand in more detail.

While accepting that the use of this site for padel and the adjoining site for cricket has some inevitable impact on highway network and parking conditions in the area, this is a historic arrangement and in planning terms given the availability of parking spaces next to the site it would be difficult in planning terms to refuse planning consent.

A condition is however being imposed to secure the provision cycle parking to be provided on site to serve as an alternative/ sustainable travel options with this use and as well a condition imposed asking for details of how parking will be allocated and

managed in connection with the padel courts and measures taken to prevent overspill parking.

Conclusion

As per the amended plan, the layout and use of the site for padel courts, considering its historic use for tennis, is deemed acceptable. The proposal would provide a continued sporting and recreational use in line with the broader use of Crouch End Open Space while not impacting the openness of the land, the character of the area, neighbouring amenity, and the transport network.

The proposed development is considered compliant with planning policies outlined above. It respects and as such subject to the imposition of appropriate conditions, the proposal is recommended for approval.

7. Recommendation

GRANT PERMISSION: SUBJECT TO CONDITIONS

1. The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

2. 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.

3. The padel courts and development hereby permitted shall not operate outside of the hours of 8am to 8pm - Mondays to Sundays.

Reason: To ensure that the development does not affect the amenity of neighbouring properties in terms of noise and disturbance in accordance with the provisions of policies DM1 and DM14 of the Haringey Development Management Plan 2017.

4. The use hereby permitted shall not commence until an operational noise management plan has been submitted to and approved in writing by the Local Planning Authority. This should include but not be limited to, management responsibilities during operational hours, measures to control noise from site and demonstrating how visitors to the facility will be prevented from causing nuisance for people in the area. The use shall thereafter be operated in accordance with the approved plans with any change or variation to the management plan being submitted to and approved in writing by the local planning authority.

Reason: To ensure that the development does not affect the amenity of neighbouring properties in terms of noise and disturbance in accordance with the provisions of policies DM1 and DM14 of the Haringey Development Management Plan 2017.

5. Details of secure cycle parking facilities for 12-16 cycles shall be submitted to and approved in writing by the Local Planning Authority and provided prior to the padel courts hereby approved brought into use and retained solely for the parking of cycles in connection with the padel use, in accordance with the approved plans for the lifetime of the development.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

6. Prior to the commencement of the use of the padel courts, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of how parking spaces will be allocated and managed in connection with the padel courts, including measures to prevent overspill parking, ensure efficient use of available spaces, and minimize impact on surrounding roads and neighbouring uses. The approved Car Parking Management Plan shall thereafter be implemented in full and maintained for the duration of the padel court use.

Reason: To ensure that appropriate parking arrangements are in place, prevent parking congestion, and safeguard the efficient use of the site while minimizing impacts on local infrastructure and neighbouring properties.

7. In the event that the use of the padel courts ceases, all structures and associated infrastructure directly connected to the padel courts shall be removed from the site, and the land for alternative recreational uses, in accordance with a scheme approved by the Local Planning Authority.

Reason: To support the beneficial use of the site for other recreational purposes in connection with the open land and to ensure the appropriate management of sports facilities within the area.

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.