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Planning – Development Control
Camden Council
Camden Town Hall
London
WC1H 8ND

FAO: Matthew Dempsey

Our ref: GRO/AKG/PIR/U0019226

Your ref: PP- 11204835

24 October 2022

Dear Matthew,

Town and Country Planning Act 1990 (as amended)
Banbury Court, Hampstead Cricket Club, 25 Lymington Road, London, NW6 1HZ

Further to the meeting held on site with you in December 2021, and on behalf of our client, Girls' Day School Trust (GDST), we write to apply for planning permission at Banbury Court, Hampstead Cricket Club, 25 Lymington Road, London, NW6 1HZ (hereafter known as the 'Site') in respect of their proposals for a Padel court.

Full planning permission is sought for the following:

“Erection of a Padel Court with associated fencing, canopy roof, floodlighting and other associated works.”

Site and Surroundings

The Site forms previously developed, now grassed, area known as Banbury Court, which is located on the southern boundary of the Hampstead Cricket Club, parallel to Lymington Road, between two tennis courts and was formerly occupied by indoor squash courts.

The Site is designated private open space, referred to as 'Hampstead and Cumberland Clubs' as shown on Camden's adopted Policies Map.

The wider Hampstead Cricket Club site contains tennis and squash courts, a cricket field and associated club house and changing room facilities. A car park is situated at the southwest corner of the site, which leads from the main vehicular access point from Lymington Road.

The surrounding area is predominantly residential, with detached properties located on the adjacent side of Lymington Road.

The Site is in an accessible location and has a PTAL rating of 5 due to its proximity to both West Hampstead and Finchley Road and Frognaal overground, rail and underground stations.

The Site is not located in a Conservation Area, although the West End Green Conservation Area does border the west of the Cricket Club. The Site does not contain any statutorily Listed Buildings.

Relevant Planning History

On the 13 February 2012, a planning application (ref. 2012/0041/P) was approved for the:

‘Erection of single storey mono pitched roof adjacent to Lymington Road to provide an indoor squash court (following demolition of existing squash court building) (Class D2).’

On the 26 April 2012, a planning application (ref. 2012/0162/P) was approved for the:

‘Erection of two storey building to provide temporary classroom accommodation (Class D1) with ancillary electrical substation and plant, cycle parking and landscaping, and change of use of existing indoor sport and recreation building (Class D2) to combined education (Class D1) and indoor sport and recreation (Class D2).’

On the 20 May 2014, a planning application (ref. 2013/8147/P) was approved for the:

‘Variation of condition 1 of planning permission ref. 2012/0162/P dated 26 April 2012 for ‘Erection of two storey building to provide temporary classroom accommodation (Class D1) with ancillary electrical substation and plant, cycle parking and landscaping, and change of use of existing indoor sport and recreation building (Class D2) to combined education (Class D1) and indoor sport and recreation (Class D2).’

Development proposals

The GDST wish to provide an additional facility to vary their existing sports offering within the Cricket Club, which consists of tennis and squash courts. The Padel Court would consist of an artificial grass surface, toughened tempered glass rebound walls with metal mesh fencing, a canopy roof over the court and external floodlighting.

The Padel Court would be available for student use during the hours of 7.45am-5.30pm Monday to Thursday, and 7.45pm-4pm on Friday. The Club would have access to the Padel Court during the same hours as the existing courts, from 5.30pm-9.30pm Monday to Thursday, 4pm-9.30pm on Fridays and 8am-9.30pm on Saturdays and Sundays. Access to the court would be restricted to members of the Club or pupils of the GDST.

Given that the proposals do not create 100sqm GIA or more of new floorspace, they are not liable for CIL.

Pre-Application Advice

A formal pre-application exercise (ref: 2021/5367/PRE) was undertaken prior to the submission of the application, and this involved a site visit in December 2021. Feedback confirmed that the proposal was acceptable in principle subject to confirmation of further details. Specific mention was given to the protection and maintenance of trees and the design approach.

Local Development Framework

The London Borough of Camden’s Local Development Framework comprises The London Plan (2021), and the Camden Local Plan (2017).

Camden also has a number of adopted Planning Guidance Documents (CPG), which are a material consideration in planning decisions.

The National Planning Policy Framework (2021) is also a material consideration.

Planning Assessment

Principle of Use - Cultural and Leisure facilities

Paragraph 92 of the National Planning Policy Framework states that planning decisions should aim to achieve healthy, inclusive, and safe places which amongst other things, enables and supports healthy lifestyles, especially where this would address identified local health and well-being needs. Paragraph 98 also recognises that opportunities for sport and physical activity is important for the health and well-being of communities.

London Plan Policy GG3 states that in order to improve Londoners’ health and reduce inequalities those involved in

planning and development should plan for spaces for sports.

Policy C3 (Cultural and Leisure Facilities) of the Local Plan seeks to protect existing cultural and leisure facilities and to seek opportunities for new cultural and leisure facilities. The policy goes on to state that there is an expectation for the siting of new facilities, including the expansion of existing facilities, to consider associated impacts. The supporting text to the policy confirms that *“the Council wants to ensure that existing cultural and leisure attractions are sustained and enhanced.”*

The Health and Wellbeing CPG seeks to outline how the planning process can help to promote the health and wellbeing of residents, workers, students and visitors in the Borough through its role in shaping the building and natural environment. It states that access to open spaces and leisure is an important facilitator of physical activity, as well as play, leisure and sports activities for young people.

The proposed Padel Court would enhance the existing provision within an established sporting Club, and would provide an additional facility, providing greater variation to the existing offering available. Due regard has been given to the management of the Padel Court. It is proposed to be operated in the same way as the existing courts in the wider site. This means the Padel Court will be available to school students only during the hours of 7.45am-5.30pm Monday to Thursday, and Fridays during the hours of 7.45am-4pm. The Club will have access to the Padel Court during the same hours as the existing courts, from 5.30pm-9.30pm Monday to Thursdays, 4pm-9pm on Fridays and 8am-9.30pm on Saturdays and Sundays. The proposals would not lead to an increase in the number of Club members or school students who already access the Site.

A Noise and Lighting Assessment accompany the application submission and demonstrate how the development would not give rise to any negative associated impacts. This is assessed in detail in the ‘Amenity- Lighting and Noise’ section below.

The proposed development would therefore enhance an existing leisure facility, providing an additional sporting offer and expanding the opportunities for existing users to be active. This in turn would help to promote the health and wellbeing of existing Club members and school students, which would be consistent with local, London and national planning policy.

Open Space

Camden Local Plan Policy A2 (Open Space) states that the Council *‘will protect, enhance and improve access to Camden’s parks, open spaces and other green infrastructure.’* The site is identified as ‘Hampstead and Cumberland Clubs’ and forms designated private open space in Camden’s Local Plan and is considered as land which, although may not be open to the public, provides relief from built up areas and contributes towards visual amenity.

The proposed Padel Court would occupy an area of land which sits between two tennis courts. The Lymington Road boundary is almost entirely lined with playing courts and the area designated for the proposed Padel Court is the only vacant space. Whilst this area is entirely open, it is important to note that visually it appears severed from the large central area of open space, not only due to its location but also the existing concrete border which defines it. It should also be noted that in 2012, permission was granted for an indoor squash court and this permission was implemented. Although the squash court has not been built on the Site, the principle of the enhancement of the Club’s facilities through the development of an additional leisure facility in this location is established.

By positioning the Padel Court on the chosen area of land, the development would follow the arrangement of the existing courts, and the built form would not encroach into the large central area of open space. The sensitive siting of the Padel Court would therefore reflect the principles of Policy A2, as the development would not have an adverse impact on the openness of the designated open space.

Design

Camden Local Plan Policy D1 (Design) requires development to be of a high-quality design. In order to ensure this is achieved, development is required, amongst other things, to respect local character and context, integrate well with surrounding streets and open spaces, utilise high quality materials and respond to natural features.

The proposed Padel Court has been sensitively designed to meet the requirements of Policy D1. The court itself would occupy an area of approximately 239sqm and would be enclosed by toughened tempered glass rebound walls and metal

mesh fencing at lower level, with lightweight clear polycarbonate cladding at higher level. The court would also feature a number of external lighting columns and a PVC fabric canopy roof. Whilst the court would be more enclosed than the existing open tennis and squash courts, the choice of materials and the approach to colour assists in limiting the visual impact of the court on the character and appearance of the locality.

The glass rebound walls would be lightweight additions and the remaining mesh fencing would be green in colour. The use of green coloured fencing would not only ensure consistency with the existing courts but would also ensure that the court is sensitive to its natural surroundings.

The use of clear polycarbonate cladding, which forms the higher part of the elevational treatment, also assists in reducing the visual bulk of the structure through its lightweight appearance. Whilst a curved canopy roof is proposed (which is demountable), this would be constructed of a tensioned PVC membrane and similarly would contribute to the lightweight appearance of the Padel Court structure. The design of the Padel Court has therefore been sympathetically designed to preserve the openness of the space.

Therefore, it is considered that the proposals comply with the requirements of Local Plan D1.

Amenity – Lighting and Noise

Local Plan Policy A1 (Managing the Impacts of Development) seeks to ensure that the amenity of communities, occupiers and neighbours is protected from new development. The policy specifies that factors such as artificial lighting levels and noise levels will be given due regard during the application process. Policy A4 (Noise and Vibration) specifically requires that noise is managed and controlled, and states that development likely to generate unacceptable noise impacts will not be supported. This is reflected in Camden's Amenity CPG.

The proposed Padel Court will be associated with an existing leisure facility. The court is proposed to be managed and utilised in line with the existing facilities, in terms of both hours of opening and access to use. An Operational Management Plan has been submitted in support of this application and provides full details of the proposed operational management arrangements.

Given the proposed operational management arrangements, and the limited number of players that could reasonably occupy the court at any one time, it has been found that the proposed development would not give rise to any undue noise disturbance. A supporting note has been prepared by Ramboll and forms part of the application submission documents. This report confirms that the expected noise levels, considering both ambient and instantaneous noise levels, would not exceed relevant limits and therefore would not adversely impact the occupants of neighbouring residential properties.

In terms of the external lighting, a lighting plan has been prepared by Padel Tech. The plan confirms that the intensity of the lighting and the resulting lightspill would be very limited so as to not cause nuisance to neighbouring residential properties

The development therefore complies with Policies A1 and A4 of Camden's Local Plan.

Transport

The proposed Padel Court would provide an additional facility for existing members of the Club and pupils of the GDST. As it would be accessible to existing users only, its introduction would not result in any significant increase in the number of visitors to the site.

As the Padel Court is unlikely to result in increased visits to the site, an increased number of cycle parking spaces is not required, and the existing provision is considered to be adequate.

The proposed development would therefore not conflict with the objectives of Policy T1 of the Local Plan.

Drainage

Camden Local Plan Policy CC3 (Water and flooding) seeks to ensure that development does not increase flood risk.

A number of drainage gullies are proposed to be installed as part of the works and these will be located at various locations around the court, with surface water from the canopy also expected to divert into these. The proposed system will connect into the existing and discharge into the public drainage system on Lymington Road.

Appropriate measures are therefore proposed in order to manage any increased flood risk associated with the proposals.

Trees

Camden Local Plan Policy A3 states that the Council will protect and seek to secure, additional trees and vegetation. In particular, the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value or proposals which threaten their continued wellbeing.

The supporting text to Local Plan Policy D1 also states that the Council will resist development which fails to preserve or is likely to damage trees on site which make a significant contribution to the character and amenity of an area.

It is noted that there are a number of mature trees on site and the Lymington Road boundary features dense greenery which complements the street scene. An Arboriculture Note, prepared by Pellings, has been submitted in support of this application. The Note confirms that, in line with Local Plan policies, the proposed development would not disrupt or lead to the removal of any natural features on site, which are all proposed to be retained.

Conclusion

In conclusion, the proposed development complies with relevant policies of the Camden Local Plan, namely Policies C3, A1, A2, A3, A4 and D1. The proposed Padel Court would enhance on site leisure facilities and would be designed and located to ensure that the quality and character of the open space is not harmed. In addition, the Padel Court would be appropriately managed in order to ensure no adverse impacts to neighbouring residential properties.

Application Enclosures

As part of the submission of the application on the Planning Portal, we enclose the following documents:

- Cover lettering, prepared by Gerald Eve;
- Design and Access Statement (including Operational Management Plan), prepared by GDST;
- Application Form, prepared by Gerald Eve;
- CIL Form, prepared by Gerald Eve;
- Proposed Drawings, Sections and Elevations, prepared by Padel Tech;
- Noise Technical Note, prepared by Ramboll;
- Lightspill Plan, prepared by Padel Tech;
- Drainage Note, prepared by Pellings;
- Arboriculture Note, prepared by Pellings.

The application fee of £494.20 (including £32.20 planning portal fee) has been paid concurrent to the submission of this application.

In the meantime, should you have any questions, please do not hesitate to contact Anna Gargan (0207 518 7240) or Paige Ireland (0207 333 6277) of this office.

Yours faithfully,



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