

Planning applications committee

Date: Thursday, 10 October 2024

Time: 09:30

Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

Members of the public, agents and applicants, ward councillors and other interested parties must notify the committee officer if they wish to attend this meeting by 10:00 on the day before the committee meeting, please. The meeting will be live streamed on the council's YouTube channel.

Committee members:

Councillors:

Driver (chair)
Sands (vice chair)
Caine
Calvert
Davis
Harper
Haynes
Lubbock
Prinsley
Sands (M)
Sands (S)
Smith
Young

For further information please contact:

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Information for members of the public

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For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Agenda

Page nos

1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Planning applications committee minutes of meeting held on 08 August 2024.

5 - 8

Purpose - That the unrestricted minutes of the meeting held on 8th August be confirmed as a correct record of proceedings

4 Planning applications

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting on the following items are required to notify the committee officer by 10:00 on the day before the meeting.

Further information on planning applications can be obtained from the council's website: <http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

5 East Anglia Tennis and Squash Club

9 - 36

Purpose:

To determine:

Application no: 24/00427/F

Site Address: East Anglia Tennis And Squash Club. Lime Tree Road. Norwich. NR2 2NQ

Decision due by: 17/10/2024

Proposal: Erection of 2no. padel tennis courts.

Key considerations: Design, Heritage, Amenity, Transport, Trees.

Ward: Town Close

Case Officer: Matthew Hickie
Applicant/agent: Mr Daniel Kearns
Reason at Committee: Objections and called in by Cllr Oliver.

Date of publication: **Tuesday, 01 October 2024**



PLANNING APPLICATIONS COMMITTEE

| | |
|-----------------------|-----------------------------------|
| 09:30 to 10:15 | 8th August 2024 |
| | |

| | |
|-----------------|--|
| Present: | Councillors (M) Sands (In the Chair), Caine, Harper, Haynes Lubbock (S) Sands, Smith and Young. |
|-----------------|--|

Apologies: Councillors David, Driver and Prinsley.

(In the absence of the chair, Councillor Sands (M), vice chair, was in the chair.)

1. Declaration of Interests

Councillors Harper, (M) Sands and (S) Sands, asked that it be noted that they had visited the property in Southgate Lane as part of the National Garden Scheme (NGS) and they all declared that they did not have a predetermined view in respect of this application (no: 23/00383/F) in relation to Southgate House and Butter Hills House, Southgate Lane, Norwich NR1 2AQ

2. Minutes

RESOLVED

That the unrestricted minutes of the meeting held on 13th June be confirmed as a correct record of proceedings and the Chair of the Committee was authorised to sign them accordingly.

3. Application No. 23 00383F - Southgate House, Southgate Lane

Proposal: Garage and pool extensions at Southgate House and detached annexe accommodation at Butter Hills House, 7 Southgate Lane.

The Planner (case officer) presented the report (which had been circulated prior to the meeting and was available on the council's website) with the aid of plans and slides describing the application site and the key features of the application. Accordingly, the Committee raised a number of questions, and these may be summarised as follows:

Committee **noted** that:

- The adjacent and neighbouring properties have been notified in writing regarding the proposal. However, no letters of representation had been

received and the application was being brought before the committee because the applicant is a relative of a councillor. Item 3

- The proposed development is within the setting of a residential property and would be an addition to residential properties and ancillary to the use of the main dwellings. However, in principle the proposed developments are considered to be acceptable.
- Norwich City Council Design and Conservation Team had indicated that whilst in principle they had no objection to the proposed works a few concerns had been acknowledged in regard to **(a)** the flint on the swimming pool should match the flint on the existing property, **(b)** the proposal to reinstate original materials on the boundary wall and garage roof that is supported, **(c)** the gate that should be timber and of a traditional style to match the character of the Conservation Area; and **(d)** the annexe at Butter Hills House that the bricks are red clay in Flemish bond. Cladding is appropriate on the elevation facing Butter Hills House. Therefore, in terms of design the proposed developments are considered to be acceptable subject to conditions for details of flint to be submitted for assessment and for the roof tiles to be black clay pantile and bricks to match in colour finish and bond with the existing roof tiles.
- Norfolk County Council Highways (local highways authority) had stated that whilst the proposal was acceptable it is important to note that **(1)** if the site is subdivided vehicle access to annexe would be through third party land. condition requiring the use of the annexe to be ancillary to the main dwelling should be attached, **(2)** visibility from Southgate House is restricted however as the cul de sac has low traffic movements and the access is extant it is difficult to justify an objection; **(3)** landscaping details would be beneficial and EV charging point can be accommodated in the garage. Therefore, the local highways authority had made a number of recommendations including the provision of EV charging points and landscaping for parking.
- Whilst the City Council's Tree Protection Officer had raised no objection from an arboricultural perspective. They had indicated that to ensure the protection of retained trees it was noted that it would be appropriate to apply condition TR4- arb supervision for works within root protection areas and, TR7- works on site in accordance with AIA/AMS/TPP.
- Southgate House is locally listed and features elements which are of historic interest. The property whilst constructed circa 18th century it has been altered from its original form since then. Some of the notable historic elements include, sash windows, flint walls, quoins, and pilasters.
- Within a wider context there are several other locally listed properties within the vicinity of the site, nevertheless it is considered that the proposed works will not result in harm to the setting of the heritage assets
- The proposed works to Southgate House are considered to be adding to the historic interests of the property by incorporating some of the historic materials such as flint walls and also reinstating original pantiles and reflecting the roof form of the main dwelling adding to a consistent form at the property. Overall, the proposed works are enhancing the historic interest of the property.
- The annexe at Butter Hills House has been designed in such a way that the orientation and positioning of the annexe does not result in any harm to amenity by overlooking and overshadowing and outlook. In addition, whilst the

annexe has glazing facing towards the main dwelling, nevertheless it is considered that given the distance between the two properties it is not a significant harm to amenity.

Discussion ensued in which the Planner, Development Management Team Leader and Development Manager referred to the report and presentation and answered members' questions. This included discussions about nutrient neutrality, and it was noted that the planned development would not cause an increase in 'nutrient pollution' to the water catchment area. In addition, it was noted that **(i)** Nutrient neutrality is a concept primarily aimed at ensuring that new developments do not increase the levels of nutrient pollution in specific areas, particularly in sensitive habitats and water bodies; **(ii)** the future nutrient load from land use on the site after development would not impact upon the water quality and therefore it is not necessary to conduct an assessment under the Habitats Regulations; and **(iii)** the application had been submitted prior to the requirement for the Biodiversity Net Gain (BNG) which has mandated that post-development biodiversity value must exceed pre-development value by at least 10%.

Recommendation:

The Chair **moved** and Councillor Harper **seconded** the recommendation as set out in the report.

Accordingly, the Committee on a unanimous vote **RESOLVED:**

to approve the application for the reasons given in the report and subject to the planning conditions as set out in paragraph 101 of this report, and grant planning permission.

4. Close of Meeting

With no other business to discuss, the Chair called this meeting to a close and thanked everybody for their attendance and participation this afternoon.

Item 3



Committee name: Planning applications

Committee date: 10/10/2024

Report title: 24/00427/F - East Anglia Tennis And Squash Club, Lime Tree Road.

Report from: Head of planning and regulatory services

OPEN PUBLIC ITEM

Purpose:

To determine:

Application no: 24/00427/F

Site Address: East Anglia Tennis And Squash Club. Lime Tree Road. Norwich. NR2 2NQ

Decision due by: 17/10/2024

Proposal: Erection of 2no. padel tennis courts.

Key considerations: Design, Heritage, Amenity, Transport, Trees.

Ward: Town Close

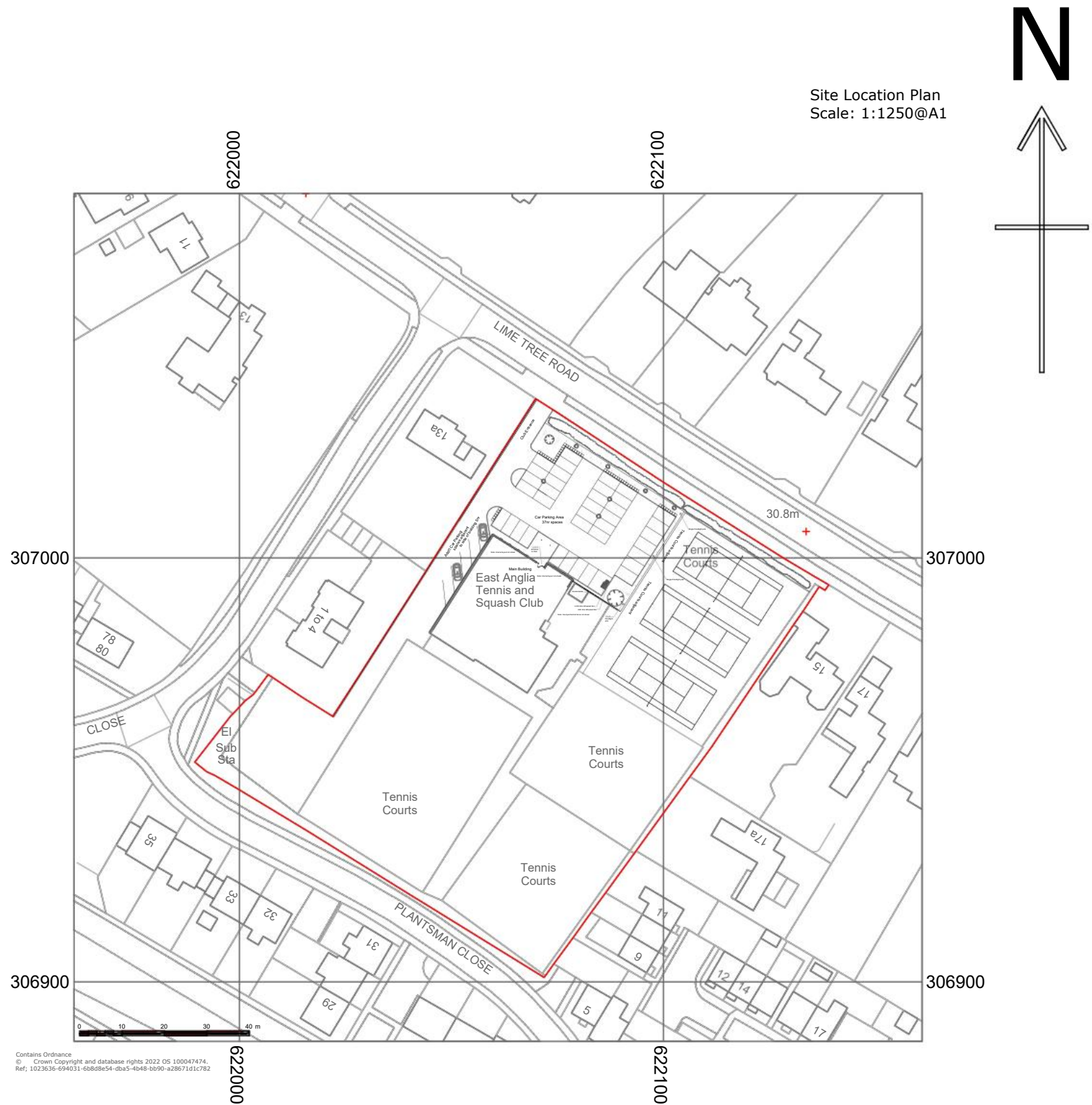
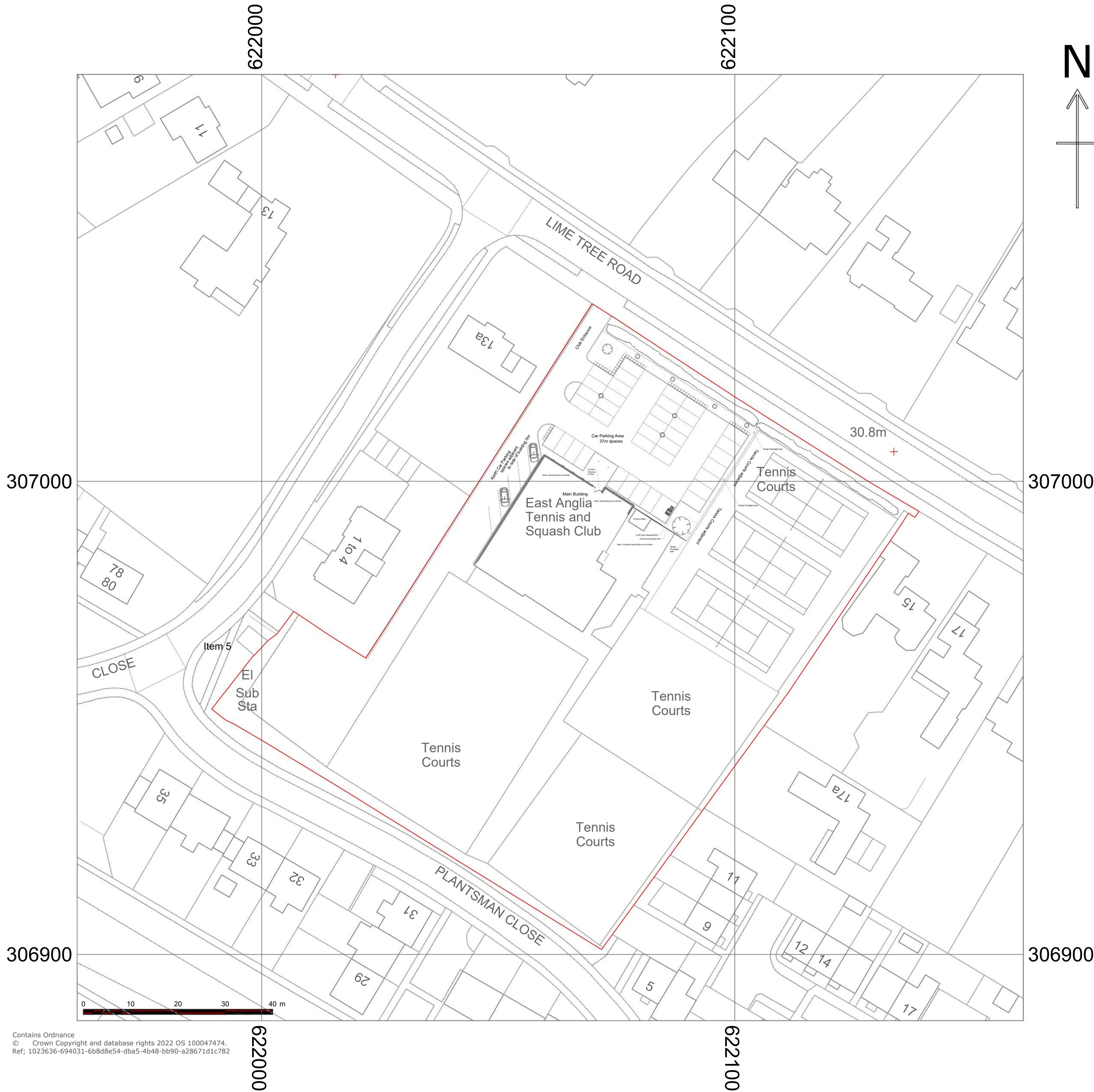
Case Officer: Matthew Hickie

Applicant/agent: Mr Daniel Kearns

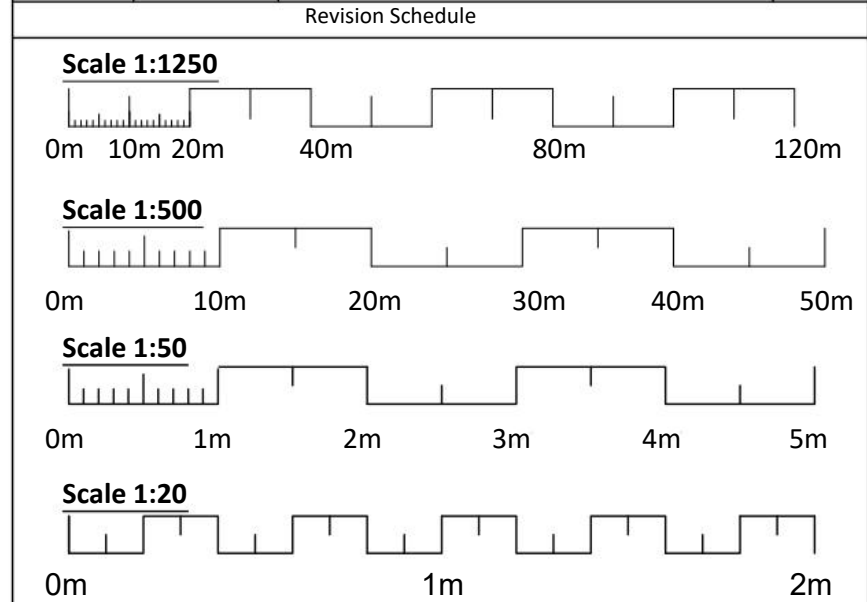
Reason at Committee: Objections and called in by Cllr Oliver.

Recommendation:

It is recommended to approve the application for the reasons given in the report and subject to the planning conditions set out in paragraph 112 of this report, and grant planning permission.



| Revision Number: | Revision Date: | Revision Description: | Issued by: |
|------------------|----------------|-------------------------|------------|
| 01 | 04.04.2024 | Planning Issue Drawings | DK |
| 0 | 01.02.2024 | Original | DK |






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Premium Padel Courts



FLH Architectural Design
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| | |
|---------------------|------------------------------------|
| Project Number: | A4199 |
| Project Title: | Planning Application Drawing |
| Project Add: | East Anglia Tennis and Squash Club |
| Client(s): | Suzanne Scarlett & MejorSet |
| Project Issue Date: | Q1 2024 |
| Drawn By: | DK |
| Checked By: | DK |
| Drawing Number: | A4199-01-01 |
| Drawing Name: | Existing Site Layout |
| Sheet Print Stamp: | 04.04.2024 11:10 |
| Scale: | As indicated |
| Paper Size: | A1 |

The site and surroundings

1. The East Anglia Tennis and Squash Club is located on Lime Tree Road, a residential street within the Town Close Ward, and close to the boundary of the Eaton Ward. Its location is approximately 1.8km southwest of Norwich city centre. The site covers an approximate area of 0.9Ha, positioned between Lime Tree Road to the north and Plantsman Close to the south.
2. The site is comprised of 10 No. outdoor tennis courts positioned along the southwest and southeast boundaries of the site. A large number of these courts share the southeast boundary with several residential dwellings, including 5, 6, 9, 10, 11 Plantsman Close, and 15, 17, and 17A Lime Tree Road. The northwest boundary, and primary access road to the site car parks is shared with 1, 2, 3, 4 Plantsman Close and 13A Lime Tree Road.
3. The site is located directly opposite four dwellings on the opposite side of Lime Tree Road, numbers 6, 8, 10, 12. These properties are Grade II listed, and are located within the Newmarket Road Conservation Area. The boundaries of the properties mark the edge of the Conservation Area.
4. The site has a central indoor club house, that contains a number of indoor Squash Courts, a club bar, and changing room facilities. The site as existing has a main car park in the front area, facilitating 37 parking spaces, 5 to the side of the building, and an overspill parking area to the rear. This area of land has not been marked and so there is no set designation of parking spaces.
5. Lime Tree Road is lined with many mature trees, and further trees are situated within the site indicated by the TPO.621, a group containing 4 Silver Birch and 3 Oak, with a single False Acacia situated on the boundary of the entrance road. Further trees within TPO.111 line the northwest boundary between the access road and 1-4 Plantsman Close / 13A Lime Tree Road. This group consists of approximately 30 Norway Spruce. A screening hedge is also in place along the front boundary of the site.
6. Historical mapping of the site shows that this land was used as a lawn pavilion for outdoor sports including Croquet and Tennis dating back to the 1920s. Formal court layouts and central building appear to date back to the 1950s under the Lime Tree Road Tennis Club. Previous application plans show that until the early 1990s the front car parking area was used for an additional "Court 11" before being converted to parking space through application 4/1989/0264.

Constraints

7. Adjacent to Newmarket Road Conservation Area.
8. In the setting of Grade II listed buildings, 4-14 and 13 Lime Tree Road.
9. TPO.111 and TPO.621
10. Designated Open Space
11. Critical Drainage Catchment

Relevant Planning History

12. The records held by the city council show the following planning history for the site.

| Ref | Proposal | Decision | Date |
|-------------|--|----------|------------|
| 4/2002/1022 | Details for condition 5 a) fencing, b) lighting, for previous permission 4/1998/0925/F alterations to building and courts. | APPR | 31/03/2003 |
| 4/1989/0264 | Erection of floodlights for tennis courts. | INSFEE | 11/04/1989 |
| 4/1990/1147 | Erection of single storey extension at rear to provide additional office accommodation. | APPR | 04/01/1991 |
| 4/1996/0234 | Erection of indoor tennis court building and link to club house. | REF | 30/05/1996 |
| 4/1996/0226 | New car parking layout. | APCON | 30/05/1996 |
| 4/1997/0739 | Erection of new and replacement 4.4 metre high fence by courts 6 to 10. | APCON | 25/11/1997 |
| 4/1998/0925 | (1) Erection of new squash Court. (2) Construction of new front entrance lobby. (3) Tennis courts 2 & 3 : extension to playing surface; re-alignment of courts, repositioning of floodlights; repositioning of court fence and increase in height by 1m. | APCON | 21/01/1999 |
| 4/1999/0919 | Condition 2: landscaping and surface treatment; Condition 5: details of lighting; for previous permission 4980925/F for new squash court, entrance lobby and repositioning of and alterations to tennis courts, fencing and lighting. | APPR | 12/06/2000 |
| 10/00554/C | Demolition of part of tennis and squash club building. | CANCLD | 16/04/2010 |
| 10/00555/F | Alterations and extensions to tennis and squash club building. | APPR | 17/06/2010 |
| 10/01102/F | Increase in height of tennis court surround fencing in line with existing fencing adjacent to neighbours to prevent balls entering gardens. | CANCLD | 19/08/2010 |
| 14/00422/F | Installation of 7 No. eight metre high columns with 8 No. floodlights (on courts | APPR | 21/05/2014 |

| | | | |
|--------------|--|-------------|------------|
| | 8, 9 and 10). | | |
| 16/01807/F | Removal of existing floodlighting and installation of new low level floodlighting to 2no. tennis courts. | APPR Item 5 | 26/01/2017 |
| 20/00141/TCA | Beech Hedge - Remove/ fell section. Blackthorn Hedge - Remove/ fell section. | CANCLD | 03/02/2020 |
| 24/00427/F | Erection of 2no. padel tennis courts. | PCO | |
| 24/00740/F | Change existing tennis floodlight luminaries on tennis courts 1 to 3 to LED luminaries. | APPR | 06/09/2024 |

The Proposal

13. The construction and installation of 2No. enclosed Padel Tennis Courts located along the northern boundary of the site, within the existing front car park.
14. Remarking and layout of the existing front car park.
15. Repurposing and marking of the existing 'overspill' car park at the rear of the site.

Summary of Proposal – Key facts:

16. The key facts of the proposal is summarised in the tables below:

| Scale | Key Facts |
|------------------|---|
| Total floorspace | 207m ² per court. With a small gap in between each court. Approximately 440m ² in total area. |
| Max. dimensions | 20m x 22m floor space. 3m in height on the side elevations, 4m height on the front and rear. |

| Appearance | Key Facts |
|------------|---|
| Materials | Glass to the front and rear, with frosted vinyl Grey coloured Manifestation. Metal fencing. |

| Operation | Key Facts |
|--|---|
| Existing opening hours for the club. | Monday – Friday – 0900 - 2200 Saturday: 0800 – 1800 Sunday: 0900 - 1600 |
| Proposed opening hours for padel courts. | Monday – Friday: 0900 – 1900 Saturday: 0900 – 1800 Sunday: 1030 - 1700 |

| Transport Matters | Key Facts |
|-------------------------------------|-------------------|
| Vehicular access | Road access |
| No of car parking spaces (existing) | 51 parking spaces |
| No of car parking | 37 parking spaces |

| | |
|---|---|
| spaces (proposed) | |
| Number of cycle parking spaces (existing) | 16 spaces for lockable bike storage. Item 5 |
| No of cycle parking spaces (proposed) | 25m ² approximate area within proposed car park Details of which to be required by condition. |

Representations

17. Adjacent and neighbouring properties have been notified in writing. 28 letters of representation from 22 individuals have been received citing the issues as summarised in the table below:

| Issues raised | Response |
|---|--|
| Noise and Disturbance | |
| | |
| There appears to be no provision made in the plans for screening the noise from the proposed courts despite the fact that padel is appreciably noisier than tennis. | See Main Issue 2: Amenity. |
| The percussive effect of the ball striking the solid racquet and ricocheting off the metal-and-glass walls of the court is very loud and almost continuous because rallies are rapid and prolonged. | See Main Issue 2: Amenity. |
| Padel players are generally more interactive and vocal than tennis players; there is a lot of shouting during the game. | See Main Issue 2: Amenity. |
| A number of nearby residential properties in Lime Tree Road are less than 30 m from the proposed Padel courts. They will be adversely affected. | See Main Issue 2: Amenity. |
| Noise observed in one setting cannot be relied upon to have the same effect in a completely different environment. | Assessments have been made against noise guidelines from the World Health Organisation (WHO), and against existing background noises taken from the proposal site. This is considered a robust method in this instance. See Main Issue 2: Amenity. |
| The revised proposals to reorientate the courts through 90 degrees will result in a slightly worse situation in terms of noise disturbance for the properties on the opposite side of Lime Tree Road. | See Main Issue 2: Amenity. |
| Light pollution | |
| | |

| Issues raised | Response |
|---|---|
| We are concerned that the additional tall floodlights required to illuminate the padel courts will further increase levels of light pollution in the immediate area. | See Main Issue 2: Amenity. Item 5 |
| Transport and Parking | |
| | |
| The application form states that only 4 spaces will be lost. The applicant's calculation is based on the premise that the rear car park area is not currently used for parking and that therefore proposals to mark it out in bays will create 19 'new' spaces. We believe that this is highly misleading. The area to the rear of the site already functions as an overflow car park, which is regularly used by members and visitors, and therefore in our view should not be considered as providing 'new' spaces. | Arguments have been provided within the application that due to the adopted use of the rear area as a 'new' car park, that there is no overall loss of spacing. This is a view that we do not support and acknowledge that as a result of this proposal, there would be an approximate loss of 14 spaces on site (if assuming use of the unmarked rear area remains the same capacity). See Main Issue 3: Transport. |
| The courts will significantly increase the level of traffic to and from the club along the otherwise purely residential Lime Tree Road. At the same time the provision for parking cars within the club will be significantly reduced. | See Main Issue 3: Transport. |
| Heavier traffic flow prejudices the safety of pedestrians and road users in the neighbourhood. | See Main Issue 3: Transport. |
| As the courts will be in the car park, cars will be displaced into surrounding roads causing traffic problems as it's busy already. | See Main Issue 3: Transport. |
| I also understand that the courts will be open to the general public, which would increase the levels of traffic locally, with associated concerns of increased air pollution and highway safety issues. | See Main Issue 3: Transport. |
| Trees | |
| | |
| There are several trees with preservation orders. I object to these, or any other trees being removed to build a padel court. | See Main Issue 4: Trees. |
| The safety of the TPO trees on the site boundary is of concern with construction works and excavation proposed in close | See Main Issue 4: Trees. |

| Issues raised | Response |
|---|---|
| proximity to the root systems. | Item 5 |
| Impact on the Conservation Area | |
| The construction will dominate the streetscape and be visually out of keeping with the residential aesthetic of Lime Tree Road. | See Main Issue 5: Design and Heritage. |
| The proposed location of the courts, on the edge of a conservation area and adjacent to a number of listed buildings is singularly inappropriate. | See Main Issue 5: Design and Heritage. |
| The Club plans to operate the courts on a pay-and-play basis, open to the public as well as to Club members. The financial model for the courts is predicated on extensive use by the general public at a charge of £24+ per court per hour. This application is, in essence, for a new business, located in a residential area within a conservation area. | The merits of the planning application will not be considered against the business structure of the club. There is no change of use involved as this is an outdoor sports facility (Use Class F2) being retained as such. |

Consultation responses

18. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Statutory and non-statutory consultees

Environmental Protection (Norwich City Council)

19. Further to the objections received with regard to this application I have reviewed the reports associated with this application in relation to the noise concerns:

Walker Beak Mason Limited Ref 5443 - New Padel Courts Noise Assessment
Date 31 May 2024

JSP Consultants - Review of Walker Beak Mason Report for padel tennis courts at Lime Tree Road Norwich Date: 2nd July 2024 Report No: RPT1629

Walker Beak Mason Limited Response to Comments from JSP Consultants dated 26 July 2024

Clarke Saunders Acoustics East Anglia Tennis & Squash Club – Padel Noise Impact Assessment dated 16 September 2024.

20. I also attended an in situ aural demonstration on the evening of the 30th July at 8pm. On arrival there was background road traffic noise that was noticeable

and there were tennis games taking place and vehicles leaving the site. As the aural demonstration progressed the background noise level subjectively fell as it got later and the tennis games seemed to be finished by 9 to 9.30pm. It gave me a good idea of how the background levels drop during the evening.

I also visited The Royal Golf Club Padel court during a game to assess noise – the game stopped and started and did not have the continual noise that was played on loop at the aural demonstration. This indicated to me that depending on who is playing the game, their experience and ability that the noise from the games can vary significantly.

21. The site of this application is an existing tennis club, and the activity and use of this site is not changing.
22. The main concerns are the impact to the residential amenity especially during evenings and weekends.
23. Noise reports produced by Clarke Saunders does demonstrate lower noise levels within gardens of the neighbouring properties than that recorded in the WBM report. Though the WBM measurements were taken inside the tennis court boundaries that may account for this.

From the noise reports the measurements and calculated levels meet the Sports England noise levels – though the jury is out whether this is the correct guidance to use as Padel Tennis is a new and evolving sport.

The noise reports can give a guide to the noise from padel tennis – though ultimately it can vary a lot depending on who is playing.

The noise sources are from the paddles, vocalisation from the players and the noise from hitting the mesh fencing.

I have spoken to other authorities about padel we have discussed how noise measurement of this game taking place is not straight forward and hard to quantify and where there has been an issue with noise, they have restricted the hours of use to mitigate the noise and reach a compromise.

24. I have considered all the details and I feel that there can be a compromise reached – the padel courts should be constructed to minimise the noise from hitting the mesh and the courts should have a noise management plan which aids the management of the courts to prevent undue noise issues. Most importantly the courts should have shorter hours of opening to provide the residents with adequate respite so they can enjoy the amenity of their dwellings.
25. From the observations from the aural demonstration and the game I attended at the Royal Golf Club and further research I have found that it is important that the panels and fencing are anchored with resilient fixings to help limit the rebound noise.
26. To protect the residential amenity I recommend that the hours of use of the courts reflect when the background levels drop in the area; the Clarke Saunders report indicates that the background levels drop after 7pm at night and the noise is more likely to affect residential amenity, the background noise

levels are also quieter over weekends so to reach a compromise I suggest that the hours of use of the Padel Courts be restricted to:

Item 5

Monday – Friday 9am until 7pm

Saturday 9am until 6pm

Sunday 10:30am until 5pm

27. I am satisfied with the details submitted in the East Anglia Tennis and Squash Club – Padel Operating plan and note this shall be reviewed in 6 months and any required amendments made.

I suggest that there should have a section about any complaints received and where these will be logged, and how they shall be responded to.

Please can there be a condition advising that the courts shall be operated in accordance with the East Anglia Tennis and Squash Club – Padel Operating plan.

28. The LED lighting is designed to only light the padel court, and there shall be no light spill from this, so I have no concerns about light shining into windows.

The lighting shall have motion sensors so the court shall only be lit when in use.

Therefore, I have no objections in relation to the lighting

Highways (local highways authority) (Norfolk County Council)

29. The proposed layout is inadequate in terms of turning space for parked vehicles

Nor is having reversing cars adjacent to the site access from Lime Tree Road good practice, as it introduces potential conflicts and delays for vehicles to enter the site having to dwell on the road.

My preference is for a revised layout, my suggestion would entail the reorientation of the Padel courts.

If the applicant does not resolve the poor turning space for cars, then I would wish to issue a Holding Highway Objection due to the potential road safety impact on Lime Tree Road.

(These comments are in relation to the first revisions of plans, which were since amended to resolve these issues)

With regard to loss of parking on site, I don't agree with the application form figures of loss of 4 spaces. It is likely to be greater than that given that the rear car park is already in everyday use.

However I am not unduly concerned about the loss of parking spaces given that there is ample space on Lime Tree Road where there are 4hr parking spaces Mon to Sat 8am to 6.30pm – unrestricted at other times. – and the single yellow lines that allow parking evenings and Sundays.

With regard to the restricted visibility leaving the site, this is a matter of fact, and does not meet Manual for Streets standards. However as this site access is extant, and the overall number of car spaces (and traffic) will decrease, there are not grounds to raise an objection – and there is no prospect of removing the tree or requiring the club to create a new means of vehicular access.

Sport England

30. The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in an approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: <http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Tree Protection Officer (Norwich City Council)

31. As long as the Robinia in the corner is being retained 'as is', and condition TR6 - arb works to facilitate development (for any pruning required to the branches overhanging the car park) is applied, then I'd have no objections to the application.

Assessment of Planning Considerations

Relevant Development Plan Policies

32. Greater Norwich Local Plan for Broadland, Norwich and South Norfolk adopted March 2024 (GNLP)

- GNLP2 Sustainable Communities
- GNLP3 Environmental Protection and Enhancement
- GNLP4 Strategic Infrastructure

33. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1 Sustainable development principles for Norwich
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM11 Protecting against environmental hazards
- DM9 Safeguarding Norwich's heritage

- DM30 Access and highway safety
- DM31 Car parking and servicing

Item 5

Other material considerations

34. Relevant sections of the National Planning Policy Framework 2023 (NPPF):

- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF12 Achieving well-designed places
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

Case Assessment

35. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the council's standing duties, other policy documents and guidance detailed above, and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main Issue 1. Principle of Development.

36. The site is covered by the council's open space policy which seeks to protect open space used for recreation purposes. This policy reflects the council's commitment to preserving green and recreational spaces for public use, ensuring that such areas are not lost or repurposed in a way that would diminish their value to the community. Specifically, Policy DM8 focuses on preventing the reduction or elimination of existing recreational spaces, ensuring that any development or changes to these areas do not negatively impact their availability for public enjoyment.

37. This new sporting opportunity adds diversity to the recreational offerings of the city, broadening the range of activities available to residents and visitors. Importantly, the proposal does not result in a loss of existing recreational facilities; rather, it enhances the site's utility by increasing the number of outdoor courts available for public use, with the total rising from 10 to 12.

38. The principle of introducing new padel courts to this site is acceptable and any objection to the proposal should be considered on the basis of the following issues.

Main Issue 2. Amenity

39. Key policies and NPPF Section – DM2, DM11, NPPF Section 12.

Introduction

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The site is located within a quiet residential street, with a generally low level of background noise within the centre of the street. Lime Tree Road does however connect Ipswich Road and Newmarket Road, two busy road and primary routes into the city centre from south Norfolk / Suffolk. The tennis club is positioned roughly in the centre of this street and has been in place as per its current layout since the 1950s. Historical mapping is evidence of this. The club currently operates between 0900 – 2200 Monday – Friday, 0800 – 1800 Saturday, and 0900 – 1600 Sunday. No previous conditions have been placed on the site in regard to the main opening hours of the site.

40. The primary issue surrounding this application is the concerns regarding noise generated from the use of the proposed courts. Padel is generally a noisier sport than tennis, due to the fact the ball can be played off a glass wall and rebound against the enclosed mesh metal fence. The bats used for play are a solid material, typically carbon fibre or fibre glass, as opposed to the light strings of a tennis or squash racket. Padel balls have lower internal pressure, resulting in a lower ball speed and less bounce. Although a number of the tennis courts are within close proximity and share their boundary with a number a residential property, the padel courts will bring the use of the club's activities closer to more properties, namely 6,8 and 13A Lime Tree Road, giving rise to additional noise concerns for the site.
41. A noise impact assessment was submitted in the process of the application by a professional consultancy. Along with several letters of objection, it was agreed that the application determination date would be extended to allow for the local residents to commission further professional noise assessments to support their objection. A letter of commentary was submitted in response to the WBM noise assessment, questioning its methods and results. A letter from WBM was provided in response to these questions. A noise impact assessment including baseline readings and an aural demonstration was commissioned and completed on behalf of the residents by Clarke Saunders Acoustics, a professional acoustic consultant. The results and interpretations of each of these reports will be discussed as follows.
42. It has been acknowledged that there is *currently* no guidance aimed explicitly for padel courts. The WBM report gives specific referral to Sport England guidance for other outdoor sport facilities, as well as the WHO Guidelines and also changes in noise level.

Noise Impact Assessment submitted by the applicant.

43. The WBM report submitted for the application suggested two possible layouts for the courts, perpendicular and parallel to Lime Tree Road. Two noise surveys were undertaken for this, including noise measurements of a padel game at another site and baseline noise measurements comprehensive of nearby residents. Prior to measurements taken on site, it was confirmed that measurements would be taken near the boundaries of 13a and 15 Lime Tree Road to get measurements of the traffic on the main road, car movements in/out of the car park and existing tennis activity. A noise monitor was also proposed to be secured in a fixed location, to continually record the baseline noise levels for the rest of the day and into the morning. These methods were

confirmed acceptable by the Environmental Protection Team of Norwich City Council.

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44. The Artificial Grass Pitch (Sports England) guidance refers to the World Health Organisation 'Guidelines for Community Noise' (1999). The WHO guidance is used as the basis of the suggested criterion that the noise level outside a residential property during the daytime at about 1 metre from facades of living spaces should not exceed 50 dB LAeq with an assessment period of 1 hour. This information is used as a basis for the assessment of the acceptability of the scheme as submitted by the applicant.
45. Baselines conditions at the site were measured on the 1st and 2nd of May 2024, at 3 locations. Location A; the rear of court 8/9, level with rear of 15 Lime Tree Road, 1m from the boundary fence. Location B; the end of the car park adjacent to access road, near to the boundary of 13A Lime Tree Road. Location C; edge of car park near courts 8/9. At times of no tennis activity, average noise levels varied between 47 - 53dB in Location A, 50 – 51dB in Location B, and 45dB in Location C. Although the overall LAeq,T values did not vary significantly in Location B, maximum levels were higher during periods of tennis activity; with values of 66-68 dB LAmax,f without tennis activity and 66-76 during gameplay – although these are likely to have been affected by vehicle activities in the carpark.
46. Measurements were taken from a padel game at Market Harborough Cricket and Squash Club on 02 May 2024. The noise measured for the assessment was taken from people on the court, and impact noises from the balls striking the glass end walls, racquets and surrounding wire mesh. Noise levels were calculated from the gameplay, taken at regular intervals from different directions from the court. Some of the data was omitted due to the influence of changing topography on the study site. These levels were compared to the criteria suggested in the Sport England AGP guidance as well as the existing noise levels. No allowance was included for screening attenuation provided by the boundary fences to the adjacent properties in order to consider a worst case scenario.
47. Using layout Option 1, the predicted noise levels were as follows.
- 13A** Lime Tree Road (23m to the side of court); Calculated noise level during use of the padel courts: **50 dB LAeq,T**.
 - 15** Lime Tree Road (37m to the side of court); Calculated noise level during use of the padel courts: **48 dB LAeq,T**
 - 6** Lime Tree Road (40m to the ends of both courts); Calculated noise level during use of the padel courts: **46 dB LAeq,T**

Using layout Option 2 (As confirmed for this application):

- 13A** Lime Tree Road (23m to the side of court); Calculated noise level during use of the padel courts: **48 dB LAeq,T**.
- 15** Lime Tree Road (37m to the side of court); Calculated noise level during use of the padel courts: **46 dB LAeq,T**
- 6** Lime Tree Road (40m to the ends of both courts); Calculated noise level during use of the padel courts: **48 dB LAeq,T**

The calculated noise levels from padel court activity for both options are at or below the suggested Sport England noise criterion and are similar to existing noise levels measured without tennis activity, indicating some impact.

The results of this test show that there is overall benefit to be gained by option 2, and that the orientation of the taller front and rear ends do provide some level of sound attenuation compared to the levels received from the sides of the courts. Considering that the rear garden of 13A is most exposed to the site this was deemed to be the better option.

Review of the Noise Impact Assessment. Commissioned by the residents of Lime Tree Road.

48. This noise assessment was reviewed by a separate consultancy (JSP Consultants), commissioned by the residents of Lime Tree Road in order to address any concerns regarding the methods and results of this test.
49. JSP deemed that there was much less detail on the method used to predict the padel tennis noise at the East Anglia Tennis Club.
WBM confirmed that they modelled the noise output (in terms of LAeq) from the sides and ends of the padel courts with 3 dB loss per doubled distance. This correlated best with the measurements undertaken of actual padel tennis activity and use this approach to determine the noise levels at the adjacent receptors. Additionally, no attenuation calculations were included to show a robust and worst case scenario assessment of the noise impact.
50. JSP were also concerned that none of the receptors were placed within the gardens of the neighbours in proximity.
WBM confirmed that the methodology was given prior approval with the Environmental Protection Team of Norwich City Council prior to its commencement. The comments also state that the properties have front facing gardens opposite the club. For 6 Lime Tree Road, it is acknowledged that the boundary of the property is closer than the 40m distance indicated in WBM's report, however from observations on site, the front of the property is primarily for vehicle parking, with the garden amenity at the rear of the dwelling, which is at least 55m from the proposed padel courts and screened by the intervening dwelling.
51. JSP also questioned the use of the WHO baselines rather than background noise on site.
WBM argued that when reviewing other noise impact assessments prepared by other consultants, the use of the Sport England advice was considered – as no other specific guidance for padel tennis is currently applicable.
52. Other comments were raised within the JSP review, however there were no comments that altered the findings or conclusions of WBM's assessment, and subsequently the council's interpretation of the noise impact assessment submitted.

Additional Noise Impact Assessment. Commissioned by the residents of Lime Tree Road.

53. An additional consultancy was commissioned by the residents of Lime Tree Road in further support of the objection to the proposal. This involved Clarke Saunders Acoustics (CSA), who conducted additional background noise tests, as well as an in-person aural demonstration on the site of the tennis club, which was attended by residents, members of the club, the Planning Officer and Environmental Protection Team Leader.

54. CSA supported the views of JSP in that the WHO baseline is not the best method for basing the suitability of noise assessment results against. They argued that though in some situations, the guidance can be helpful in contextualise potential noise impacts, it is not appropriate to form the sole basis for a padel noise assessment. A background noise test took place between 30th July and 7th August. The resulting average background noise was represented by 44dB LAeq,T, arguing that these lower backgrounded noises were a more accurate representation of the site and its surroundings than the WBM report showed (48-52dB LAeq,T). This was particularly emphasised in calm weather conditions and later in the evening, where the results showed a steady decrease in background noise. The CSA report emphasises the most noticeable change and potential impact of lower background noise after 21:00 on weekdays and 19:00 on the weekend.
55. An aural demonstration was conducted to play a pre-recorded padel game, the recording duplicated and delayed representing two games playing at once. The recording was short and played on a constant loop. The demonstration played from approximately 20:15-21:30 on a weekday evening. This was played at a volume coherent with the noise levels expected of a normal game, and readings taken at different distances from the site, within the boundaries of resident's properties.
56. The report shows measurements of 45dB for the front gardens of 6 and 8 Lime Tree Road. As per the WBM comments, the council would not consider this to be a space utilised for its amenity and is primarily a front driveway and parking area. The recording was listened to by residents, the consultant and the council in the back garden of number 8, where the recording was barely audible over general quiet conversation.
57. Measurements were taken in the rear garden of 13A lime tree road whilst listening to the recording. Measurements were taken displaying a reading of 42dB, demonstrably lower than the 48dB predicted by the applicant in this location. It was concluded in the CSA report that from the reactions of residents to the recording, the proposal would likely cause a nuisance, particularly after 7pm and during quieter weekend periods.
58. It was the view of the applicants that this was possibly not a true representation of a padel game, due to concerns on this being misrepresented by its form as a recording and having some level of echo and reverberation of sound. Additionally, this was a small section of sound played on a constant loop, and did not account for real-life lulls in play, breaks and natural pauses in the use of the court.
59. An in person study was conducted to observe a padel game first hand at the Royal Norwich golf club. No formal readings were taken but the interpretation of the game considerably differed from the interpretation of the audio recording. Observed were lulls in the game play for rests, water breaks and light conversation, unlike the recording that was a constant loop of game play sound. The intensity of the noise was also interpreted as different, with some variation between the sound of play varying between different players' rackets. It also indicated that noise can significantly vary dependent on the experience and ability of the players.

Assessment by the local authority.

60. As a result of the CSA noise assessment, it was made clear to the council how the sound level drops significantly in this area later into the evening. It is our belief that a compromise can be reached by limiting the time that the courts are used within a Noise Management Plan. This was the shared opinion of both the Planning authority and the Environmental Protection team, who's contribution to assessing this application has been of great significance, having provided robust consultation in achieving an acceptable application.
61. The Management Plan was produced by the applicants and will be conditioned to be adhered to, along with a robust complaints process in place for dealing with occasions where users of the courts may be louder or more antisocial than others. The hours agreed to and conditioned would be as follows: Monday – Friday: 09:00 – 19:00, Saturday: 09:00 – 18:00, Sunday and Bank Holidays: 10:30 – 17:00.
62. Further details within the Management Plan to protect amenity include club policies of player etiquette and a robust complaints procedure, with repeat offenders to not be permitted use of the courts in the future. The club has structured a reporting system for all complaints to be submitted to the trustees. The process request details of the nature of the event, the time and place, witness statements, names of people treated in a similar way (if applicable) and the details of what steps were taken at the time (if applicable). The trustees would then take the responsibility to address and resolve the issue.
63. The management plan includes outlines of 'social sessions' proposed for the club, which would include various specific groups (ladies, beginners, over 60s etc). These sessions would be managed and run by a club coach and are likely to be of much lower impact than any competitive game of more competent players. Although no specifics on times have been able to be provided by the club, it has been advised that the club should consider running these at times that could provide a respite to any higher levels of noise generated by competent players. This can be included in an informative on a decision if approved.
64. It is also expected that the impacts of noise on the enjoyment of gardens will primarily only be an effect in the spring and summer months, when residents would spend more time outside in their gardens than in the autumn and winter.
65. It should be considered that the introduction of padel tennis as an associated racket sport, and coherent with the current use and expected sound to be generated by use of the site. The various noise reports have shown that there will likely be some increase in noise generated by the site, but none that would not be considered appropriate use of an outdoor sports facility. The position of the courts is coherent with the previous location of tennis court number 11, previously used on site until the early 1990s. The additional level of noise of padel over tennis can be considered to be effectively managed to ensure that neighbour amenity, specifically in the evening, is protected.

Use of materials.

66. In terms of the materials used, the side and rear areas for play are fitted with 12mm toughened glass that provides a solid structure with minimal reverberation. The steel posts are anchor fixed to prevent reverberation, bolted to the ground. The manufacturing process of this tempered glass is

manufactured by a standardised production process and in accordance with UNE EN12150-1. This European Standard assigns sound insulation values to all transparent, translucent and opaque glass products. Item 5

67. No further acoustic screening has been included in this application. The merits of such a method for sound attenuation was discussed with both the applicant and CSA Acoustics. It was confirmed that due to the upward direction of sound waves emitted from a padel court, an acoustic barrier would have to be of a likely unacceptable height in order to provide any real impact. An exact estimate of a height was not provided.
68. It will be conditioned that prior to the commencement of the use of the courts, full details of the resilient fixings used to secure the rebound panels to the padel courts shall be submitted to an approved in writing by the planning authority.

Lighting.

69. A lighting specification was also submitted for this application, along with specifications as to the type of LED lights proposed to light directly onto the court. These are automatic lights which would only light the court when in use. The application proposes 8 No. 6m high LED floodlights, creating an average illumination of 224lx on the courts, with an Emax lx of 276. The colour rendering of the lighting spill was also shown to drop in level significantly from behind the glass screens, with some light spill from the mesh fence sides. Considering the position of the existing boundary fence, and distance between neighbouring properties, it is not anticipated that this lighting would be of considerable negative impact on the amenity and enjoyment of the area.
70. It will be conditioned that the details submitted in this lighting specification are adhered to prevent any future harm to amenity from the changing of lightbulbs or illumination levels.

Conclusions and recommendations

71. Overall, it is viewed that with the confirmed time restrictions in place, a suitable balance can be struck between the residents and users of the padel courts. The WBM report conducted for this application shows that the noise levels expected to be generated are compliant with the WHO guidance for sound levels on outdoor pitches, and as such, confidence should be given to the application. Although there has been some debate as to whether this guidance should be used, it is the most relevant current guidance that is provided for making decisions on this kind of application. The CSA report specifically highlights how the noise level drops later into the evening, making any padel noise significantly higher than the prevailing background noise. Throughout the evening, there are regular comings and goings from vehicles on the site that add to this prevailing background noise. The time limits imposed on the use of the courts provides fair consideration to this evidence, and in these eyes of the council, make the proposal acceptable in terms of amenity impact.
72. The restricted hours of Monday – Friday: 09:00 – 19:00, Saturday: 09:00 – 18:00, Sunday and Bank Holidays: 10:30 – 17:00 will be conditioned to be adhered to, to prevent any significant disturbance to the residents within the vicinity of the padel courts.

Main Issue 3. Transport

73. Key policies and NPPF Sections – GNLP2, GNLP4, DM28, DM30, DM31, NPPF Section 9. Item 3
74. The East Anglia Tennis and Squash club is an existing facility in a relatively sustainable locations, easily walkable in approximately 20 minutes from the centre of the NR2 residential area ‘the golden triangle’, or from the city centre. The site is also well served by local bus networks and cycle paths along Newmarket Road and Ipswich Road facilitating easy access from further afield.
75. Some letters of representation raise the issue that the courts will significantly increase the level of traffic to and from the club. This is a possibility, due to the new provision of padel courts, a facility that is not so commonly found with it being a relatively new sport. Considering that the maximum capacity of the existing 10 tennis and 5 squash courts would be a total of 50 people if all used at full capacity, the additional 8 users of the padel courts would equate to a 16% increase in use of the club. This is assuming that all courts on the site are full at all times, which is unlikely to be the case. It is also highly possible that those who frequent the club to play tennis or squash would use the padel courts instead on occasion. The two courts will only allow a maximum number of 8 people in total at any one time, of which must be pre-booked subject to availability. It is therefore believed that any slight increase in traffic for the use of the courts would be minor in impact. The road is also subject to a 20mph speed limit. It is not believed that there would be a significant risk to pedestrian safety, highway safety or air pollution as a result of this proposal.
76. Concerns were raised that there would be an increase in traffic due to the padel courts being open to the general public as well as members of the club. The club currently offers this service to all members of the public for booking tennis and squash courts subject to availability through a ‘pay to play’ booking. There is no change to how the club will operate and concerns regarding traffic increase should refer to the assessment above.
77. The proposal underwent several rounds of negotiations before a revised layout plan was agreed on, which included alterations to the layout of parking facilities. These recommendations were made following consultations with Norfolk County Council Highways Authority. Additionally, the comments made regarding inadequate turning provisions were from a previous layout that was since amended to resolve the issues raised by highways.
78. Access to the site in terms of visibility was not supported by the Highways Authority, as the restricted visibility does not meet the Manual for Streets standards. However, as this is an extant site with no proposed changes to the access there are no grounds to hold a formal highways objection to this particular proposal.
79. The existing layout allows for the parking of 37 vehicles in the front area, with 5 parking spaces to the side of the club house, and a rear ‘overspill’ parking area, unmarked. The proposal indicates the ‘relocation’ of this car park from the primary use of the front car park, to the repurposed location of the rear area.
80. Letters of representation have reported that parking does on occasion spill over to the road, especially on tournament days, where both the front and rear car park can fill. There is a permit-free parking bay for 10 vehicles to the front of

the site on the road, allowing for parking up to four hours. There are no other permanent parking restrictions on the road, with the exception of parking on the verge in some locations. Single yellow lines are in place on Lime Tree Road that restrict parking at certain times, and this was confirmed by Norfolk County Council Highways Authority to allow parking on evenings after 18:30pm and on Sundays. It is to be noted that this proposal will likely result in the exacerbation of this overspill on tournament days, however it is anticipated that this would remain an occasional occurrence (currently 2 tournaments are held at the club per year).

81. It was confirmed by the applicant that it is their intention that the padel courts would remain in use to the public on tennis tournament days, however they would not plan tennis and padel tournaments on the same day, due to there being players that would engage in both.
82. The resultant level of parking space on site is shown on the plan as 37 spaces over each of the three parking areas. This is a suitable amount and is in line with the guidance for development outlined within Policy DM31 & Appendix 3 of the Development Management Policies Plan for new facilities of a similar nature. The policy states that there should be a maximum number of 1 space per 500m² of outdoor courts. This equates to 12 spaces per all outdoor courts (existing and proposed) on site. The policy for parking at indoor leisure facilities in this area is one space per 25m², equating to 27 spaces (rounding up). Therefore, using the figures created at the time of writing the Development Management Policies Plan, the maximum number of spaces that we would permit for a new site of this nature would be 39. The proposed 37 spaces is therefore acceptable.
83. The location of the club is accessible by foot to those in the local area, and by regular bus links along Ipswich Road and Newmarket Road. As a council, we want to promote active and sustainable travel as much as possible and reduce the reliance on private vehicles. Promoting outdoor sports facilities over parking spaces is coherent with this view.
84. An area of 25m² is proposed within the car parking area specifically designed for cycle parking. Full details of which will be required to be submitted via condition to ensure a suitable capacity of cycle parking is provided. Existing cycle parking facilities include 6 spaces for lockable cycle parking next to courts 8,9,10, and 10 lockable spaces next to the front entrance. The 6 spaces next to the courts are to be retained. It is possible that the 10 spaces, over two moveable frames, will be relocated as part of the scheme. The club confirmed that there will be no loss in the number of cycle spaces.

Main Issue 4. Trees.

85. Key policies and NPPF Sections – GNLP2, GNLP3, DM7, NPPF Section 15.
86. The site is situated within TPO.621 and adjacent to TPO.111. TPO.621 was served throughout the course of the application to add a further level of protection against any potential harm caused to the trees on site as a result of the proposal.
87. Concerns were raised that a Robinia tree on the entrance corner would be relocated as part of the scheme, which could be of detriment to the health and life span of the tree. This was discussed with the applicant who confirmed that

the tree would be retained in its existing location. Such discussions raised the decision to cover all trees on this site with TPO.621 to issue a further level of protection outside of the conservation area.

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88. It was observed on site, with confirmation from the Tree Protection Officer, that the group of trees located in group G1 (621), 4 Silver birch, 3 Oak, would require some low level pruning, of the low hanging branches that would otherwise impede the development. It was acknowledged that the changed orientation of the proposal was beneficial in protecting these trees further, with the lower (3m) fence running parallel to these trees. The pruning required is not considered to present harm to the overall health of the trees as determined by the Tree Protection Officer.
89. A condition will be recommended in support of the decision; No arboricultural works shall take place to facilitate implementation of the development hereby permitted unless these works are carried out by a suitably qualified arborist in both above and below ground arboriculture and the details of the proposed arboriculturist have first been submitted to and agreed in writing by the local planning authority.
90. There are three, low quality, young category C trees in place within the car park as existing. The proposal seeks to remove these trees, which has been deemed acceptable by the Tree Protection Officer, as it is not seen that these contribute to the quality of the site, or the wider area. Development Management Policy 7 states that significant trees for protecting include those covered by a tree preservation order, within a conservation area, an ancient, aged or veteran tree or any other tree of category B or A as per BS 5837:2005 (as amended). A tree TPO was issued on the full site within the course of this proposal however this was done for the purpose of protecting the trees on the front elevation of the site. The specifics of policy DM7 does not offer the same level of protection of Category C tree located outside of a conservation area, which is why for this proposal, we find the loss of these acceptable.

Main Issue 5. Design and Heritage.

91. Key policies and NPPF Sections– GNLP2, GNLP 3, DM3, DM9, NPPF Section 12, NPPF Section 16.

Design

92. The scheme involves the construction of 2No. padel tennis courts on the existing car park site of the East Anglia Tennis And Squash Club. The courts will be positioned parallel to Lime Tree Road, with parking spaces positioned in front of the courts, on the west side of the extant parking area.
93. The construction of the courts themselves involve a chain link fence, which is required primarily for the side walls. By indication of the plans, this side fence is proposed to measure 3m in height along majority of the side elevation. Its purpose is to prevent the ball from leaving the court area and indicate an out of bounds zone if the ball makes contact with this area of the enclosure. On both the front area rear elevations and a small section of each side elevation, an additional height of 1m is added to the enclosure, using the same chain link fence. A glass screen is installed at a height of 2m on the side elevation and 3m on the front/rear and a small section of the side. This is used to allow the ball to be played off and ricochet from the wall to continue a rally of the game.

94. The materials for the padel court are expected to be similar in appearance to those used within the context of a tennis club, including being of similar height in places to the existing fences around the tennis courts. The position of these courts, however, will be more visible to the public realm being positioned along this front boundary. The height will also likely extend above boundary hedge as is existing. The plans submitted show a distance of approximately 6m between the side of the court and the closest edge of the footpath. It is not likely that the fencing will be visible when walking on the same side of the street as the club, due to the separation distance, and due to being obscured by the boundary hedge and other large trees.
95. In the context of an outdoor sports club, it is not considered to be uncharacteristic for mesh fencing to be visible from the public realm. The size and scale of the padel courts are required to be of certain dimensions in order for the game to be playable. Multiple orientations of the courts were considered, including the taller front and rear ends being positioned on the front site boundary. This was amended so that the primary elevation on this boundary was that of the lower side of the court, which was envisioned to be an improvement in terms of its outward appearance on Lime Tree Road.

Heritage

96. In addition to the assessment of the design and appearance of the 2No. padel courts, it is not believed that these would present a significant level of harm to the character and appearance of the conservation area. The Newmarket Road conservation area begins at the boundaries of the properties on Lime Tree Road, opposite the site.
97. Using historical mapping, the site appears to have been used as a recreational outdoor sports pavilion since at least the 1920's from the council's own internal map data. The site is indicated as use for Croquet and Tennis and appears to have been divided into court areas within the tennis site. Mapping within the 1960s show further development within the site to the defined courts similar to those in place today, with the construction of the central club house, providing indoor squash facilities.
98. The use of this site has maintained its position as a historical outdoor sports facility, and consideration should be given to the flexibility of the site to progress with new facilities coherent with outdoor racket sports.
99. It is not considered that the visual aspect of this proposal would be of detriment to the character and appearance of the conservation area. Concerns within letters of representation have been raised as to the impact of noise generated from the courts, and the impact of this on the enjoyment and amenity of the listed buildings within the conservation area. These will be discussed within the consideration of amenity.
100. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the

desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.

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Other Matters

Flooding

101. The proposal for constructing padel courts over the existing hard-standing car park will not result in any loss of permeable surfaces in the area. Since the car park is already a non-permeable surface, converting it into courts will maintain the current balance of water runoff and drainage. Therefore, the proposal will not have any detrimental impact on flooding or water runoff in the surrounding environment.

Equalities and diversity issues

102. There are no equality or diversity issues.

Local finance considerations

103. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
104. In this case local finance considerations are not considered to be material to the case.

Human Rights Act 1998

105. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998.

106. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

Planning Balance and Conclusion

107. The proposed padel courts are considered acceptable due to several factors. Noise assessments show that predicted noise levels from the courts

fall within acceptable limits based on Sport England and WHO guidelines, which is currently the most appropriate guidance published. Adjustments to the court layout further reduce noise impact, and a Noise Management Plan with restricted operating hours ensures minimal disturbance to nearby residents at sociable hours within the week. Additionally, the materials used, such as toughened glass, help mitigate sound, and no significant harm is expected from lighting. Overall, the proposal balances the needs of the club and residents, making it a reasonable development, subject to the condition that the restricted hours of use are adhered to, details of the management plan and lighting specifications are adhered to, and details of reliant fixings are provided prior to use.

108. The impact on transport is considered to be appropriate. Whilst it is acknowledged that the scheme involves a significant reduction in the number of on-site parking spaces, suitable provision remains both on and off-site when required, with sufficient options for sustainable travel to the site. The number of parking spaces falls within the acceptable limits outlined within Appendix 3 of the local plan, and the additional use of the club is not considered to be of detriment to the safety of the highway on Lime Tree Road. The approval of this application will be subject to the condition that cycle parking details will be submitted and agreed to, and the car parking layout will be as per the approved plans.
109. The impact of trees was considered at the beginning of this application, and subsequently a TPO was placed on the site, specifying the single Robina Tree on the entrance and group along the front boundary. It was concluded that minimal pruning will be required in order to facilitate the construction of the courts, the details of which will be required to be submitted by a professional arboriculturist. The guidance of policy DM7 does not offer the same level of protection to Category C trees, of which three will be removed from the site car park to facilitate the development. Overall, this proposal is not considered to be detrimental to the trees on site.
110. The proposed padel courts are considered acceptable as they are supplementary to the existing recreational use of the site, maintaining the area's historical use as an outdoor sports court site. Their placement and design are not overly intrusive and is sufficiently screened by mature trees and hedges. The courts will not negatively impact the conservation area, as are supplementary to the use of the site as existing.
111. The proposal brings about public benefits in the form of enhanced recreational and sporting facilities. For the reasons detailed within this report, and subject to the conditions listed below, the development is considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

112. To approve application 24/00427/F - East Anglia Tennis And Squash Club, Lime Tree Road, and grant planning permission subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;

3. Details of arboricultural works to be submitted;
4. All details of the management plan are to be adhered to;
5. Restricted hours of use are to be adhered to; Item 5
6. The construction and use of the courts will be in accordance with lighting specification;
7. Details of resilient fixings to be submitted and agreed to in writing;
8. Cycle parking details to be submitted and agreed to in writing;
9. Car parking to be laid out as per the approved plans.

Appendices: None

Contact officer: Planner

Name: Matthew Hickie

Telephone number: 01603 989640

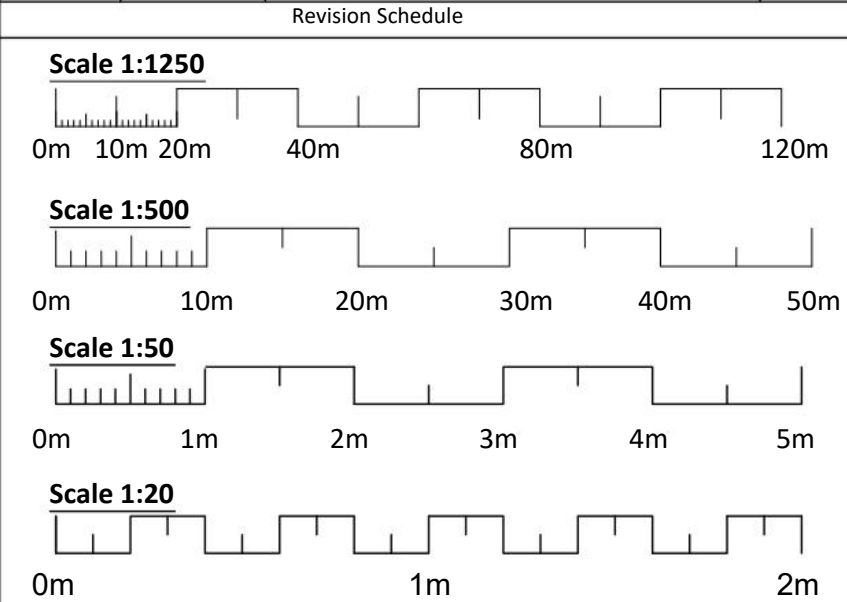
Email address: matthewhickie@norwich.gov.uk



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.



| | | | |
|------------------|----------------|-------------------------|------------|
| O4 | 03.09.2024 | Planning Issue Drawings | DK |
| O3 | 06.08.2024 | Planning Issue Drawings | DK |
| O2 | 04.04.2024 | Planning Issue Drawings | DK |
| O1 | 28.03.2024 | Per Design Review | DK |
| O | 01.02.2024 | Original | DK |
| Revision Number: | Revision Date: | Revision Description: | Issued by: |



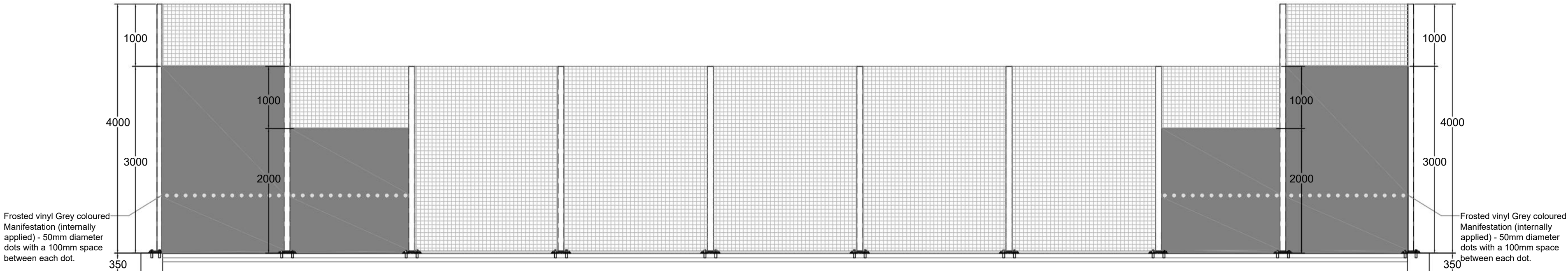
Ross Chaplin
UK Padel Distributor - Sporting Goods Co
Telephone: 07720 806182
e-mail: ross@thesportinggods.co.uk
Website: mejorset.com
Premium Padel Courts

PADEL
OFFICIAL COURT

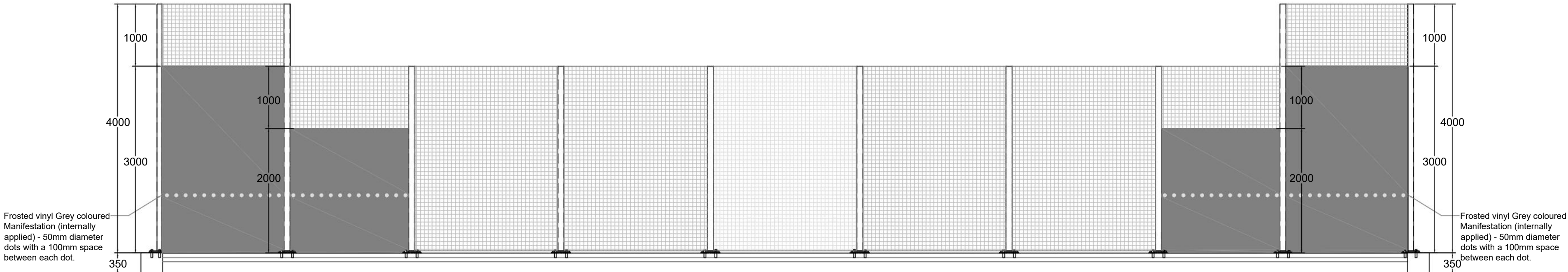
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38, Villa Way, Woodton, Northamptonshire NN4 6JJ
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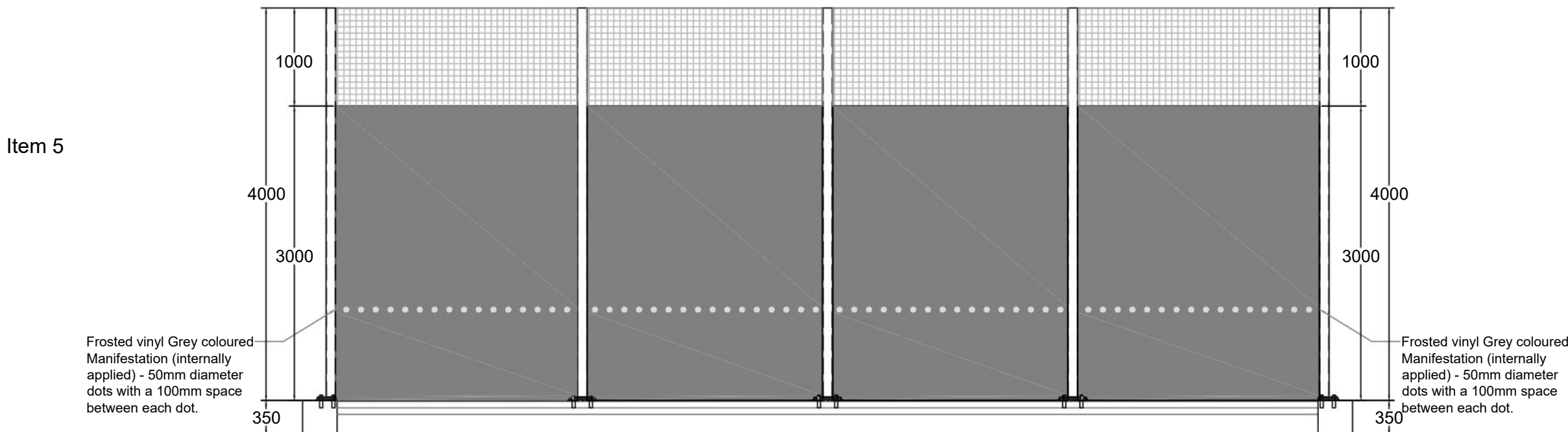
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|---------------------|---|
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| Project Title: | Planning Application Drawing |
| Project Add: | East Anglia Tennis and Squash Club |
| Client(s): | Suzanne Scarlett & MejorSet |
| Project Issue Date: | Q1 2024 |
| Drawn By: | DK |
| Checked By: | DK |
| Drawing Number: | A4199-07-O4 |
| Drawing Name: | Proposed Site Layout with car parking to rear |
| Sheet Print Stamp: | 03.09.2024 10:56 |
| Scale: | 1:200@A1 |
| Paper Size: | A1 |



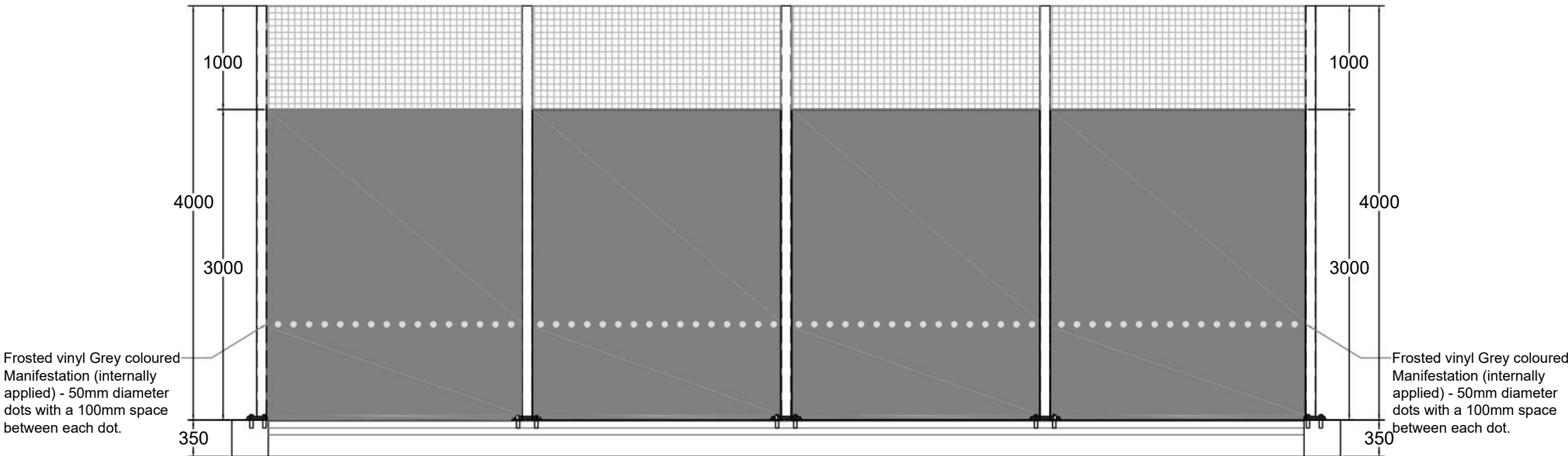
Proposed MejoSet Standard Padel Court - Elevation
Scale: 1:50@A1



Proposed MejoSet Standard Padel Court - Elevation
Scale: 1:50@A1



Proposed MejoSet Standard Padel Court - Elevation
Scale: 1:50@A1



Proposed MejoSet Standard Padel Court - Elevation
Scale: 1:50@A1

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| - | - | - | - |
| 0 | 01.02.2024 | Original | DK |
| Revision Number: | Revision Date: | Revision Description: | Issued by: |

Revision Schedule

Scale 1:1250
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Scale 1:500
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Scale 1:50
0m 1m 2m 3m 4m 5m

Scale 1:20
0m 1m 2m

ROSS CHAPLIN
UK Padel Distributor - Sporting Goods Co

Telephone: 07720 806182
e-mail: ross@thesportinggoods.co.uk
Website: mejoSet.com

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38, Villa Way, Wootton, Northamptonshire NN4 6JJ
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Project Number: A4199

Project Title: Planning Application Drawing

Project Add: East Anglia Tennis and Squash Club

Client(s): Suzanne Scarlett & MejoSet

Project Issue Date: Q1 2024

Drawn By: DK

Checked By: DK

Drawing Number: A4199-06-O

Drawing Name: Standard Documentation - MejoSet Padel Court - Individual Elevations

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Scale: As indicated Paper Size: A1

Item 5