

North Yorkshire Council

Community Development Services

**HARROGATE AND KNARESBOROUGH AREA
PLANNING COMMITTEE**

**ZC23/04392/FUL - ERECTION OF TWO COVERED PADEL TENNIS COURTS;
INSTALLATION OF PARKING AREA FOR UP TO 80 DAYS OF THE YEAR. AT
HARROGATE SPORTS AND FITNESS CENTRE HARROGATE NORTH
YORKSHIRE ON BEHALF OF HARROGATE SPORTS AND FITNESS CLUB AND
THE YORKSHIRE SHOWGROUND**

Report of the Assistant Director – Planning

1.0 Purpose of the Report

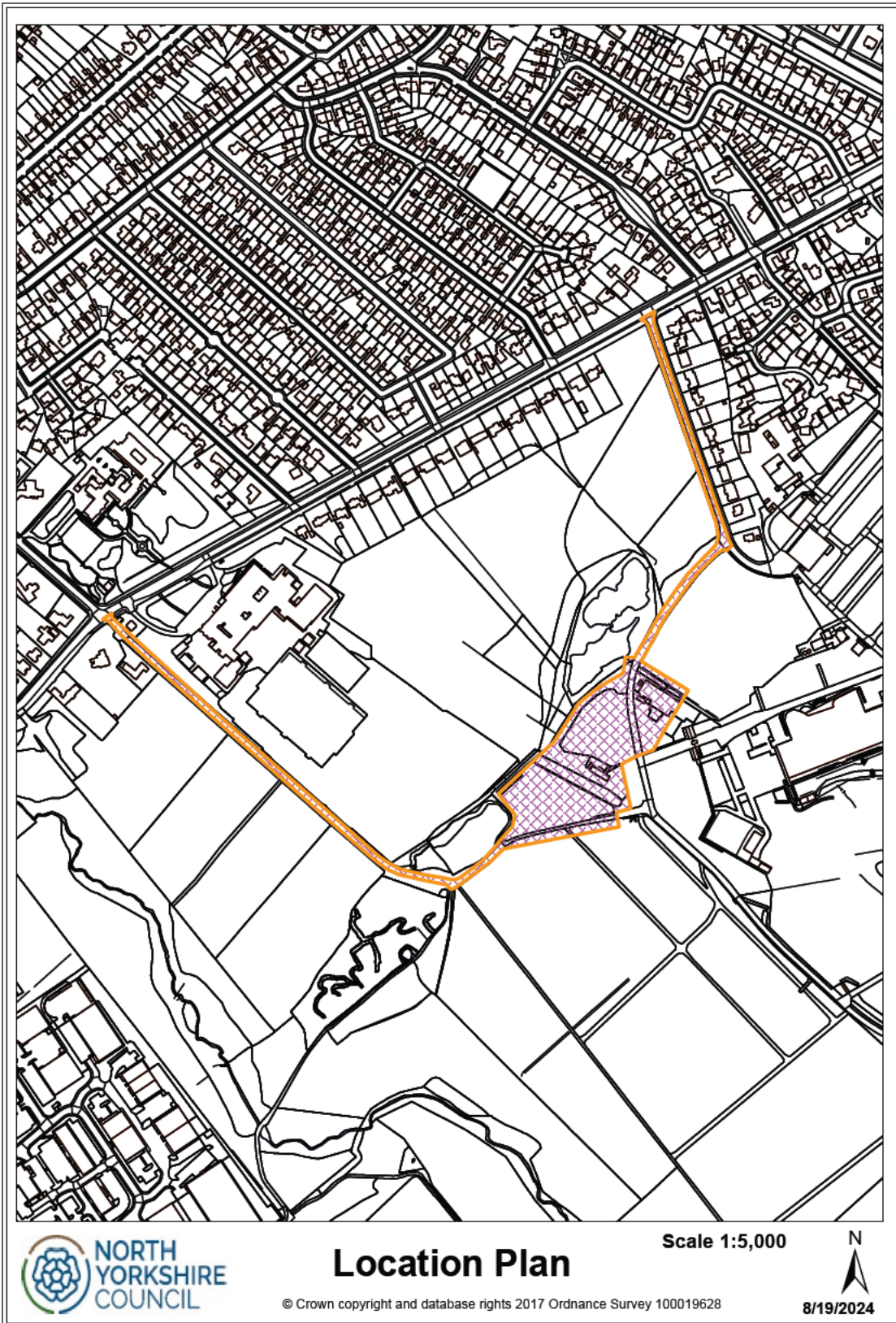
- 1.1 To determine a planning application for Erection of two covered padel tennis courts; installation of parking area for up to 80 days of the year, on land at Harrogate Sports and Fitness Centre on behalf of Assistant Director – Planning
- 1.2 This application is referred to the Planning Committee by request of a Member of the committee at the time of referral.

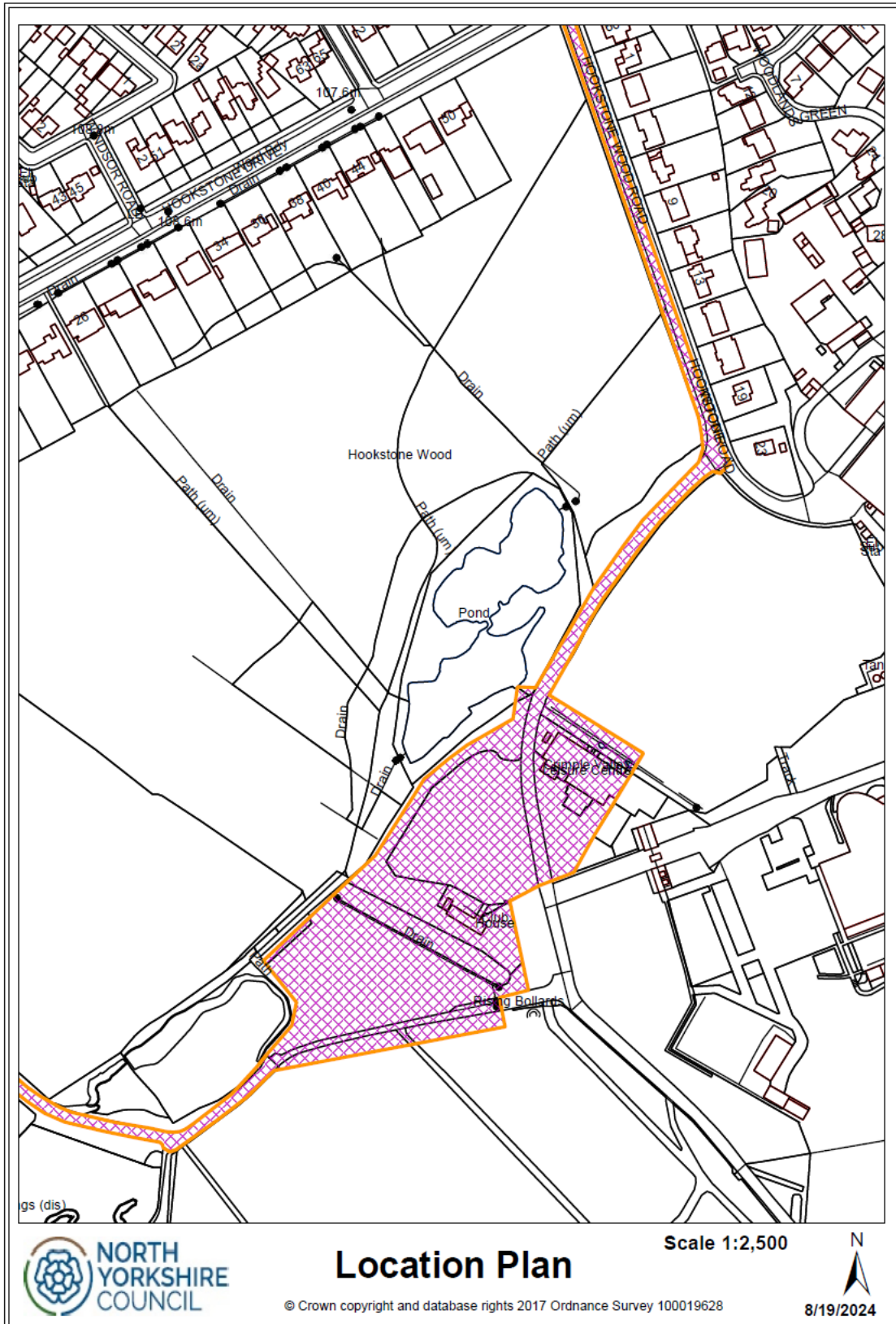
2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be **GRANTED** subject to conditions.

- 2.1. The proposal site related to the Harrogate Sports and Fitness centre which is accessed via Hookstone Wood Road. The site is set outside of the development limits and within a Special Landscape Area as defined under Local Plan policy NE4. Hookstone Wood to the north of the site is an identified Local Nature Reserve under Local Plan Policy NE3.
- 2.2. The proposal seeks planning consent for the siting of two padel courts to be measuring a total of 23m x 27m with an external canopy structure at approximately 11.1m in height above ground level. The structure includes a netted enclosure around the courts, which measures 6.2m.
- 2.3. The padel courts would be set adjacent to the western edge of the Sports and fitness centre car park, adjacent to a belt of trees which adjoin the Hookstone Nature reserve to the north and adjacent to an existing Scout hut.
- 2.4. The second part of the planning application relates to the use of a grassed area to the west of the existing car park, to form event parking for up to 80 days of the year in association with the Yorkshire Show Ground.

- 2.5. The parking area would host a geo grid structure with grass to grow through and would not require formalised bay delineation.
- 2.6. The access to the site is through Hookstone Wood Road and is confirmed to be the sole access to be utilised in association with the padel courts, Coach and Railway Roads are to be used in association with the additional Yorkshire Show Ground parking area as set out within the Travel Plan note.
- 2.7. Concerns were raised by the Council's Ecologist with regards to potential light spill from proposed lighting to the courts and bollards and the removal of one Goat Willow. This objection has been removed subject to conditions, on receipt of additional clarity of the elevations of the court preventing light spill, lighting specification which clarifies acceptable light levels and supporting information which indicates the decline of the Goat Willow with limited ecological benefit.
- 2.8. The proposal is not considered to create unacceptable street scene or landscape harm and is not considered to create unacceptable amenity, environmental health, arboricultural, highways, drainage or ecology harm.
- 2.9. The proposal is considered to comply with Local Plan Policies HP3, HP4, NE3, NE4, NE7, TI3, The Council's Landscape Character Assessment and provisions of the NPPF.





3.0 Preliminary Matters

- 3.1. Access to the case file on Public Access can be found [here](#).
- 3.2. There are 3 relevant planning applications for this application which are detailed below;

22/04092/PREMI – Advice given including the in relation to the erection of padel courts. 23.11.2023.

20/00735/FUL - Erection of two storey extension; formation of padel tennis court with canopy; erection of canopy to existing court. Permitted 15.05.2020.

19/00361/FUL - Formation of Padel tennis court. Permitted 22.03.2019.

Please see the Public Access file for the full list of planning applications on this site.

4.0 Site and Surroundings

- 4.1. The application site is located off Hookstone Drive, via Hookstone Wood Road. Harrogate Sports and Fitness Centre (HSFC) is a large two-storey buff brick building surrounded by a large car park to the front, the Great Yorkshire Show Ground and events centre to the east and woodland to the north and west. The wider site has a secondary access along Coach Road with restricted vehicular access.
- 4.2. The site has undergone a number of extensions over a period of several decades with the additional of two padel courts to the south eastern section of the site; one padel court permitted in March 2019, under planning consent 19/00361/FUL and the other being approved May 2020, under planning consent 20/00735/FUL.
- 4.3. The built development in relation to the Sports and Fitness Centre is currently contained to the east of the site, with one single storey timber Scouts hut set along the western tree line.
- 4.4. The site is set outside of the development limits and within a Special Landscape Area as defined under Local Plan policy NE4. Hookstone Wood to the north of the site is an identified Local Nature Reserve under Local Plan Policy NE3. Tree Preservation Orders 23/1998 comprises a woodland of mixed deciduous woodland and 05/1993 comprises an area of trees. All trees/mixed woodland within these Orders are located to the west of the site beyond the immediate woodland treeline.

5.0 Description of Proposal

- 5.1. The proposal is split into two distinct parts.
- 5.2. The proposal seeks planning consent for the siting of two padel courts, each measuring approximately 10m x 20m with the wider footprint of the courts, measuring a total of 23m x 27m to the external structure. The canopy covering structure would measure approximately 11.1m in height above ground level, 6.2m to the netted enclosure around the courts.
- 5.3. The padel courts would be set adjacent to the western edge of the Sports and Fitness centre car park, adjacent to a belt of trees which adjoin the Hookstone Nature reserve to the north and adjacent to an existing Scout hut.
- 5.4. The second part of the planning application relates to the use of a grassed area to the west of the existing car park to form event parking for up to 80 days of the year in association with the Yorkshire Show Ground.
- 5.5. The parking area would be formed with a geo grid structure with grass to grow through and would not require formalised bay delineation.
- 5.6. The access to the site is through Hookstone Wood Road and this is confirmed to be the sole access, to be utilised in association with the padel courts, the Coach and Railway Road would be used in association with the additional Yorkshire Show Ground parking area.
- 5.7. Amended plans have been received to clarify the elevation details in relation to light spill and to provide additional lighting specification details. Re-consultation has occurred to the public on this application through site notice and advert.

6.0 Planning Policy and Guidance

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:
 - Harrogate District Local Plan 2014 – 2035, adopted March 2020.

Guidance - Material Considerations

- 6.3. Relevant guidance for this application is:
- National Planning Policy Framework 2023.
 - National Planning Practice Guidance
 - Landscape Character Assessment Area 58; Middle Crimble Valley

7.0 Consultation Responses

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Arboricultural Officer:** No objections subject to the inclusion of conditions relating to the erection and maintenance of Root Protection Area fencing and the submission and approval of a Landscaping Scheme.
- 7.3. **Ecologist:** Initial comments raised concerns with regards to the loss of T1 Goat Willow and potential light spill to the adjacent Nature reserve, with insufficient information to ensure the proposal would safeguard these elements. No objections subject to conditions, on receipt of amended plans clarifying the facades of the Padel Court and lighting specification of external lighting complying to ILP Environmental Zone E2 standards.
- 7.4. **Environmental Health:** Comments on updated lighting scheme ‘The bollards and photocells are not intrusive and it is only the column lights that have the potential to affect others. Considering the location of the site and provided the column lamps are directed onto the courts and do not cause glare to neighbouring residents, there is no issue with the scheme. No comments are made on safety grounds with respect to the use of the lights’.
- 7.5. **Highways department:** No objections to amended plans, subject to the inclusion of conditions relating to the formation and maintenance of access, parking, manoeuvrability and turning areas and the submission and approval of a Construction Management Plan.
- 7.6. **Sustrans:** Not contrary to the principal but against the siting of the development and an increased reliance on car journeys to reach the site. Proposed is contrary to Local and National zero carbon policy due to increase car use.
- 7.7. **Harrogate District Cycling Action Group:** Traffic impact on adjacent Yorkshire Showground Greenway and the National Cycle network route 67; Sustrans nor Harrogate District Cycle Action have been notified; Proposal prioritises vehicle access improvement, not walking or cycling movements; Transport Plan omits cycle route on site; segregated path from vehicle use could be provided.

Local Representations

7.8. 131 letters of representation received. 126 letters of representation have been received on the original consultation from members of the public, with 5 additional letters received upon re-consultation. 72 letters are in support and 58 letters object to the proposal, 1 letter neither supports or objects to the proposal. The letters are available to view on Public Access and have been summarised as follows;

7.9. Support:

- Padel Tennis is good for injury and illness rehabilitation.
- Supports a healthier lifestyle/ improve fitness.
- Difficulty in booking courts due to availability.
- Proposed will improve accessibility and availability of padel courts.
- Positive social benefits/ opportunity to meet like-minded people.
- Padel is a growing sport with increasing demand.
- Positive for mental health and holistic well-being.
- More Padel courts will encourage more participants.
- Utility and health benefits of proposal outweigh environmental impact
- Padel Court has helped representees to rediscover sport.
- Padel has helped improve quality of life.
- Only one covered court at the moment which limits availability in poor weather.
- Two extra courts would enhance the facility.
- Courts would be heavily used.
- Padel is a quiet sport, so limited noise disturbance.
- Padel is a good low impact alternative to other higher intensity racket sports.
- Four people can play padel, so more people can enjoy the sport (than 2 person racket sports).
- Padel has helped introduce more women to sport at the host Sports facility.
- Great sport for families of all ages to play.
- Used by wide range of people in community including retired individuals and those utilising Active Against Cancer services.
- Minimal upset to the environment and wildlife.
- There are no large leisure centres in Harrogate.
- The project is a 'must' for the town.
- The employees at HSFC work hard to make the club work for all ages and abilities.
- The proposal would enhance the club and membership.
- The club benefits the community through low fees and socially.
- Ability to learn a new sport.
- Application works towards North Yorkshire's goals 'to enhance quality of life, helping people to live longer with a healthy lifestyle'
- The current site is an eyesore, the courts are an improvement.
- Significant health benefits for hearts, bodies and minds, stats on physical and mental health benefits of exercised quoted from WHO.
- Padel courts would help sustain the club.
- Proposal would put Harrogate on the map on one of the world's fastest growing sports.
- Fun and inclusive game for all abilities and ages.
- Encourages people to get active and in fresh air.
- Ample parking space retained on site.
- Proposal may discourage those using car park area in a dangerous manner.
- Increased opportunity for inter-club competitions
- Proposal would benefit non-members who use café facilities on site.

- Welcoming community.
- Proposal would encourage children into not only padel but other racket sports.
- Well design and appropriate for site sensitive for wildlife.
- Increased courts should encourage more members to join.
- Club is currently oversubscribed, proposal would allow more players.
- Proposal would be almost net zero.

7.10. Objections:

- Proximity to Hookstone Woods means proposal is disruptive to important wildlife corridor.
- Proposed car would lead to paving over of grassland to the top of the Crimple Valley.
- Previous breakdown of recreation partnerships and the Showground.
- Proposed provision of parking for an event occurring for a few days of the year.
- Recent curtailing of public access to Showground land.
- Should not be able to impose on an important amenity area for the town.
- Current padel facilities on site are adequate.
- Harm to a place of tranquillity for reflection and recreation.
- Location for a variety of wildlife would be destroyed.
- Proposed is of commercial benefit with disregard for the environment.
- Existing padel courts cause noise disturbance but are set away from the woods.
- Unwarranted tall building would not be aesthetically pleasing, spoiling the appearance of this attractive area.
- Concerns regarding ecological impact from intrusive lighting, car park and courts.
- Concerns regarding Hookstone Wood Road being unsuitable for increased traffic, overloading infrastructure.
- Recent closure of Yorkshire Showground land to the public increases pedestrian movement through the woods and using the grassland proposed for parking.
- Concerns regarding repurposing of grassland as a loss of amenity space.
- Resurfacing grassland for car park would reduce natural drainage and increase heat absorption.
- Increased risk of flooding.
- Contrary to aims to slow effects of climate change.
- Concerns regarding the proposal increase litter on site and locale.
- Concerns regarding existing light and noise pollution from site increasing.
- The HSFC it has reached capacity and cannot continue to extend.
- New Courts set across the site from existing buildings.
- Concerns regarding felling of trees and impact on tree roots.
- Concern regarding noise due to proximity to neighbouring residential sites.
- Parking is for the Yorkshire Showground which has adequate parking, proposal is unsubstantiated.

- Concerns that proposed parking area is adjacent to a permissive cycle route, used by cycle clubs and children.
- Concerns that limited facilities on site would lead to further applications.
- Alternate Padel facilities are available in the locale.
- Ugly tin shed industrial type units are not in keeping with the area.
- Too close to the historic woods a local Nature Reserve.
- Proposal is too close to housing.
- Ecology report is inaccurate and misses wildlife known to be in area e.g. hedgehog and deer.
- Concerns regarding Ecological impact through loss of hedgerows, verges and trees.
- Noise carries from courts to residential sites with long hours of play.
- Erosion of valuable green space for car parking.
- The protected woodland is used by the community and would be badly impacted by proposal.
- Agreement with concerns raised in pre-application enquiry response.
- Courts are "off the shelf design".
- Courts would not "enrich" area or have a "natural effect" as claiming in Planning Statement.
- Hours of operation not stipulated.
- No consultation with local community from developers.
- Transport Statement does not address residential Highways Safety concerns submitted to Yorkshire Showground Association.
- Proposal not suitable in SSI locale.
- Hookstone woods is ancient woodland with irreplaceable habitat and unique biodiversity.
- Concerns regarding highways safety on Hookstone Wood Road due to speeding vehicles and increased traffic.
- Development on site and wider locale has led to decreased quality of life for local residents.
- Increased air pollution.
- Padel trend may not last.
- Duty to protect the woodland in climate and biodiversity emergency.
- Building push into woods, eroding Special Landscape Area.
- A physical barrier to motorized vehicles (but allows pedestrians and cyclists access) should be considered to stop any vehicles which may be tempted turn right out of the carpark.
- A perimeter to the edge of the proposed car park should be included.
- Long walk to facilities on site from proposed courts.
- Padel courts would not be respectful to Landscape Area and woodland.
- TRICS traffic data is not representative of proposed traffic.
- Padel court canopy would block pathways between trees.
- Padel court canopy would be visible through the trees.
- Padel tennis is noisy, makes loud intermittent noises like gun-shot.
- Proposal would benefit a minority and reduce pleasure of those using the woodland.

- Proposal would set a precedent may lead to enclosure of the woods.
- Proposal would be overwhelmingly intrusive and change the entire landscape.
- The Special Landscape Area would be dominated by the proposed structure.
- Proposal seeks to grow membership numbers which will create further traffic.
- Options to prevent all late-night traffic need to be considered - such as earlier closing or re-routing through the main entrance /exit of the Showground.
- Queries for the omission of pond testing of Yorkshire Showground site within 250m.
- Concerns regarding siting of the courts away from existing padel courts.
- Planning notices erected before Christmas, limiting opportunity to respond.
- Negative impact on those using a Right of Way route.
- Digging and construction could damage or poison the roots of the nearby trees.
- Approval may lead to further application to expand site.
- Other land within the Yorkshire Showground's ownership which could be developed instead.
- Proposed non-natural landscaping does not mitigate against harm of proposal.
- Access road to site has no pavement leading to highways safety concerns.
- Objection to location, rather than provision of the courts.
- Concerns with regards to removal of trees within the woodland.
- Negative impact on neighbouring house values.
- Car parking extension decreased capacity to use walking/cycling route
- Additional parking for two padel courts is unnecessary.
- Yorkshire Agricultural Society removed public access to land adjacent to showground.
- Sustrans; Not contrary to the principal but, against the site and increase car reliance. Proposed is contrary to Local and National zero carbon policy due to increase car use.
- Conflict of vehicle, cycle and walkers along access roads needs to be considered.
- Increased risk of road traffic accidents.
- Inaccuracies in most recent Ecology survey.
- Advises night-time visit to assess night spill.
- Raises concerns that Environmental Health raises no comments.
- Access road is poorly lit.
- Long term impact on residents should be considered.
- Current anti-social traffic noise to and from site.
- Revisions on amended plans are cosmetic and don't address concerns.
- Harrogate and Stonefall Action Group – objects, with amended plans not addressing concerns raised. Queries traffic volume and occupancy of padel courts not being consistent with stated 10% increase in membership. Questions the need for two extra padel courts. Also indicate noise levels of padel court are above and beyond any other level of sport, supported by a planning decision taken in Guildford.

7.11. Neither support or object.

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- 14th Harrogate Scout Group confirm no objections to the proposal.

8.0 Main Issues

- 8.1** The key considerations in the assessment of this application are;
- Principal of development
 - Impact on the street scene and Special Landscape Area
 - Impact on Amenity
 - Impact on Highways Safety
 - Impact on the Public Right of Way
 - Impact on Ecology
 - Impact on Arboriculture
 - Flood risk and Drainage
 - Environmental Health
 - Other matters

9.0 ASSESSMENT

9.1 Principle of Development

9.2 The revised National Planning Policy Framework (NPPF, Dec 2023) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

9.3 There are a number of amendments currently under consultation ahead of the release of a new version of the NPPF. It is not considered that the proposed amendments, if included within the amended NPPF, would impact the principal of development or recommendation of this officer report.

9.4 The Harrogate District Local Plan 2014-2035 was adopted by Harrogate Borough Council in December 2020.

9.5 Local Plan policies GS1 and GS2 set out a growth strategy for new homes and jobs to 2035. Local Plan Policies GS2 and GS3 set out the growth strategy for the District and the development that may be considered outside defined development limits.

9.6 The site lies outside of the development limits of Harrogate and as such development is required to be expressly supported by Local or National Policy

9.7 Policy HP7 relates to new sports, open space and recreation development. Of relevance is Criteria B states:

B. Proposals for the development of new sports, open space and recreation facilities should ensure:

- i. The facility is located in or adjacent to built-up areas, or located to best serve the intended catchment population in rural areas; and

- ii. The proposal would not have an unacceptable impact on the operation of the highway network; and
- iii. New buildings or structures are well designed and appropriately integrated into the landscape; and
- iv. Proposals on the edge of settlements should not have an adverse impact on the setting of the settlement; and
- v. The proposal would not give rise to significant residential amenity problems.

The proposal is set within the existing site of the Sports and Fitness centre to the west of the existing car park and within the wider site adjoining the development limit line for Harrogate.

Public transportation links are available on Hookstone Drive 'Wayside Avenue' bus stop approximately 500m from the site. This stop has a regular bus service to Harrogate centre and Wetherby according to information available, including links to rail services. As such, criteria i) is met.

Criteria ii) is assessed within the Highways impact section of this report and is considered to be adequate.

Criteria iii and iv) are assessed within the 'Impact on the street scene and Special Landscape Area' section of this officer report and is considered to be adequate.

Criteria v) is assessed within the 'Amenity' section of this officer report and is considered to be adequate.

During the pre-application enquiry process, it was considered that that following criteria may also be considered;

- C. Proposals for sport and recreational facilities likely to attract a large number of people due to their nature or scale (including sports stadia, health and fitness centres, swimming pools and other indoor sports facilities) should be located within or adjacent to Harrogate, Knaresborough, Ripon, Boroughbridge, Masham or Pateley Bridge, and be proportionate to the size of the settlement.

However, the submitted highways information as part of the present application indicates an increased volume of traffic. However, the increase would not generate larger numbers of traffic over and above the existing sports and fitness centre, with the event day parking seeking to rationalise the existing parking arrangements to the Show Ground. Therein, on assessment of the information as presented, criteria C is not triggered.

Therein, the criteria of policy HP7 are considered to be met in this regard in relation to new sports, open space and recreation development.

- 9.8 While not directly commenting on the submitted proposal Sport England made the following comments in relation to the siting of padel courts on this site which remains relevant:

“Sport England would assess any application for the proposed development in light of the National Planning Policy Framework (NPPF) (notably Paragraph 97) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

- 9.9 The proposal is for two padel tennis courts at the Harrogate Sports and Fitness Centre. Sport England does not have any information on the strategic need for the padel tennis courts. Harrogate Council are producing a Playing Pitch Strategy but this does not include tennis. Sport England would advise that any new sport facilities should meet an identified demand in order to meet the 'provide' objective above.
- 9.10 Sport England would suggest that the applicant enters into discussions with the Lawn Tennis Association (LTA), who should be able to advise on the strategic need for the courts and can also provide technical input in respect of the design.
- 9.11 Any formal planning application, we would expect the applicant to evidence how the proposal will meet an identified demand. Discussions with the LTA should be able to assist in this matter.
- 9.12 Sport England reserves the right to object to any subsequent planning application if we do not consider that it accords with our objectives or Paragraph 97 of NPPF.”
- 9.13 The application is supported by a letter of support from the Lawn Tennis Association, which outlines the demand for Padel tennis courts in relation to the existing provision of such facilities in the Harrogate area, and confirms that the proposal offers an 'excellent opportunity to further enhance the Padel infrastructure in the Harrogate area'.
- 9.14 The proposal is considered to meet an identified need for such facilities in Harrogate and is considered to meet the criteria of policy HP7 in relation to the siting of New sports, open space and recreation development.
- 9.15 Impact on the street scene and Special Landscape Area
- 9.16 The NPPF re-iterates that there is a presumption in favour of sustainable development and advises that there are three dimensions to sustainable development: economic, social and environmental. The guidance advises that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

- 9.17 Paragraph 131 of the NPPF requires Local Planning Authorities states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 9.18 Paragraph 135 of the NPPF seeks to ensure development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development must be sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 9.19 Paragraph 139 of the NPPF states development should be refused that is not well designed.
- 9.20 Further to the NPPF Local Plan policy HP3 “Local Distinctiveness” requires development to incorporate high quality building, urban and landscape design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the district’s rural and urban environments. Policy HP4 “Protecting Amenity” seeks to protect visual and residential amenity.
- 9.21 Local Plan Policy NE4 states proposals that will protect, enhance or restore the landscape character of Harrogate district for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the district will be supported. Development proposals must protect and/or enhance the character, appearance and local distinctiveness of the landscape, including the natural and man-made heritage features.
- 9.22 Related to these policies is the Supplementary Planning Guidance contained in the 2004 Harrogate District Landscape Character Assessment. The site is located within Special Landscape Area as defined under Local Plan policy NE4.
- 9.23 The proposal lies in landscape character assessment Area 58, Middle Crimple Valley, which is described as a large section to the southern fringes of Harrogate, where “The northern slopes of the Crimple Valley provide a natural and definitive edge to this area of Harrogate. This valley, with its woodland, rights of way network and golf courses provides for a variety of recreation activities. There is a close relationship between the edge of the built-up area and landform, this is particularly evident in the role of the Clark Beck and Stone Rings Beck tributary valleys in defining and containing the urban edge. This area of landscape is especially important because it serves to separate Harrogate from Pannal and Spacey Houses.”
- 9.24 As such, the existing trees on site contribute significantly to the character of the surrounding landscape.
- 9.25 The proposal site is within the Crimple Valley Special Landscape Area as identified under Local Plan Policy NE4, Criteria F of policy NE4 requires proposals to ‘avoid significant loss of key characteristics that contribute to the quality of the special landscape area and the setting of Harrogate, Knaresborough and Ripon’.

- 9.26 The proposal would not contribute towards the coalescence of settlements as the padel courts are set within the existing site and the car park is to set immediately adjacent and to the north of The Coach Road. The proposal elements would not project into open countryside in this regard and would be set against the woodland trees.
- 9.27 The padel courts are set to the west of the site, which isolates the forms from the existing facilities on site as raised as a concern within the pre-application enquiry in relation to street scene and landscape harm.
- 9.28 The submitted information indicated that each court would measure two adjacent courts each measuring 10m x20m, with a combined area would measure approximately 23m x 27m. The courts would have tempered glass walls with metal mesh netting over, up to height of 6.2m and a grey panel would be incorporated to the lower section of the southeast elevation. The courts would have a solid appearance in a polyester fabric, with a pvc coating to the outer screen and would be covered by a grey canvas canopy at 11.1m in height above ground level.
- 9.29 The padel courts would be illuminated to each of the four corners of the court by pillar lights mounted to a height of 6.1m
- 9.30 The application is supported by floorplans and elevations and a 3D illustration, which indicates the height of the padel courts in relation to the adjacent tree line. It is considered on receipt of this information, the proposal, while visible, would be of light weight construction and would not be a visually intrusive element within the wider landscape.
- 9.31 The proposed padel courts would require the installation of a tarmac strip and two low level bollard lights to direct pedestrians between the courts and across the car park to the main club house. The tarmac would be flush with the existing gravel car parking surface according to the submitted Planning Statement (para 4.26). Due to the limited visibility and existing car park surfacing, this element is not considered to have a significant wider street scene, or landscaping impact.
- 9.32 The proposal requires the loss of 3 trees where the loss of trees is generally contrary to the aim of the Landscape Character Assessment and Special Landscape Area. However, two of the trees are required for removal due to poor health and not as a result of the proposed padel court, or car parking works. Willow T1 is assessed within the Arboricultural section of the report, the supporting Arboricultural report demonstrated the limited health of the trees required for removal and their loss is not demonstrable within this context and on consideration of this additional supporting information.
- 9.33 The car parking area proposed in association with the Yorkshire Show Ground event day use, is proposed to have a geo grid surface to this section of the site. This element would aid the practical use of the parking area in inclement weather and would have a limited visual impact as by its nature, it would allow grass to grow through and cover the appearance of the grids. The geo grids would further prevent significant compaction of the soil and loss of grass

through traffic movement, to the same degree should the grass not be installed with a similar grid solution.

- 9.34 The cycle racks adjacent to the parking area would be re-sited to ensure the manoeuvrability of vehicles. The cycle storage provision would be of the same nature and within the same immediate context as existing. As such, this element is not considered to create unacceptable street scene, or landscaping impacts.
- 9.35 On balance, while there would be visibility of the padel courts and additional event day parking from public vantage points along The Coach Road and Railway Road, the parking area would require minimal physical change and the open sided nature of the padel courts would create a structure of light weight appearance set against the back drop of the trees to Hookstone Wood. The proposal is not considered to demonstrably detract from the special character of the wider Landscape within a Special Landscape Area and would be considered to adequately safeguard the special character of the street scene and landscape of the Special Landscape Area in line with Local Plan policies HP3 and NE4.
- 9.36 Impact on Amenity
- 9.37 Policy HP4 states development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours. Amenity considerations will include the impacts of development on overlooking and loss of privacy, overbearing and loss of light, vibration, fumes, odour, noise and other disturbance.
- 9.38 The proposal is set a distance of approximately 290m from residential dwellings to Hookstone Wood Road and as such would not be considered to create unacceptable overlooking, overshadowing, or overbearing impacts on amenity in this regard.
- 9.39 Multiple letters of representation raise concerns with regards to noise disturbance through the noise created by the noise created by hitting the ball during play, noise from players and spectators in association with the padel courts, and increased traffic to and from the site.
- 9.40 The Council's Environmental Health department has been consulted and do not raise objections to the proposal with regards to noise impact on residential units.
- 9.41 On consideration of the distance between the padel courts and nearest residential dwellings due to a woodland of trees acting as an additional sound buffer, it is considered that the noise created by the additional padel courts and associated activity, would be at an acceptable level and it is not expedient to resist the application on this basis.
- 9.42 The erection of 2 additional padel courts are not considered to create significantly increased traffic along Hookstone Wood Road in the context of the existing traffic along a public highway which currently serves residents,

visitors in relation to the Nature Reserve, the existing Sport and Fitness centre and the Yorkshire Show Ground.

- 9.43 The provision of additional parking for the purposes of the Yorkshire Show Ground is indicated within the submitted information to alleviate parking pressures on peak visitor days for events held on the site. It is not intended to create additional traffic, however, to improve the management of existing traffic visiting the site. A condition for the submission of a Construction Management Plan would be recommended in the event of approval, in line with the Highways Safety section of the officer report.
- 9.44 A condition preventing the Showground use of Hookstone Wood Road during event days in association with the proposed parking, is also proposed to further safeguard the amenity of neighbours on Hookstone Wood Road and to safeguard against highways safety concerns for pedestrians and vehicles utilising the car parking area to Sports and Fitness centre.
- 9.45 Paragraph 4.18 of the submitted Planning Statement indicated the operating hours of the padel courts would be 07:00 – 22:00 Monday to Friday and 08:00 21:00 Saturday and Sunday. A condition to limit the operating hours of the padel courts is therein considered reasonably in line with these hours of operation to prevent use and association noise and traffic movement in unsociable hours.
- 9.46 Subject to compliance with these conditions, the proposal is considered to comply with Local Plan Policy HP4 and the provisions of the NPPF in this regard.
- 9.47 Impact on Highways Safety
- 9.48 Paragraph 115 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 9.49 The proposed padel courts would be set within the existing car parking area for the Sports and Fitness centres, set to its western boundary. The car parking arrangement to the site is informal in layout without the delineation of bays. However, the proposal would lead to the loss of parking provision to this section of the site.
- 9.50 The proposed car parking area would be set off a Public Right of Way to The Coach Road. The parking area would be finished with a geo grid structure which would allow more practical parking in inclement weather and would allow grass to grow through and cover the appearance of the grids.
- 9.51 The proposal is supported by a Car Park Management Plan and Strategy and Transport Statement.

- 9.52 The Transport Statement indicates an increase in site visitors increasing from approximately 500 visitors to approximately 550, with 80% of those members driving, leading to 40 additional traffic movements across the day.
- 9.53 The Highways Department raised concerns with regards to the siting of the padel courts away from the main sports club in relation to its members accessing facilities within the site, leading to further pedestrian movement across the car park and with regards to the accuracy of the traffic data submitted.
- 9.54 Amended plans have been submitted to include pedestrian crossings and low level lighting and clarification has been provided to indicate that while the Sport and Fitness centre would utilise Hookstone Wood Road, event traffic to the proposed car park would not use this road and would use the Coach Road, or Railway Road.
- 9.55 A further Traffic Management and Construction Statement were submitted 29.01.2024.
- 9.56 The Highways Department have been consulted on the amended plans and made the following comments;

“The planning application is split into two elements; The first is the erection of two covered padel tennis courts and associated improvements to the site, and the second is the creation of an overflow car park for the Showground.

The padel tennis courts are accessed via the adopted highway on Hookstone Wood View. This site is already within the proposed limits for a 20MPH zone, and so additional speed control measures are not required. The proposal will see an increase of an estimated 80 vehicle movements per day. The applicant has provided additional evidence to support their comments regarding the current and proposed use. This is a significant increase, but the low speeds, existing on street parking, and wide accesses offering good visibility at all junctions mitigate any significant risk to highway safety.

Some objections have noted the lack of a footpath to the site, but the section of the access which is Highway Maintainable at the Public Expense has a footpath for the full length. The remaining access is privately owned and the LHA cannot require additional pedestrian footways at this location. This also applies to the permissive cycle route in the area, which the LHA is not able to condition. Hookstone Wood Road will continue to be maintained by the LHA to levels required by the Highway Safety Inspection Manual, regardless of number of vehicular movements.

The LHA does have some concerns over the placement of the new building within the site, and the increased risk of vulnerable users created by the requirement to walk across the site to access the courts, but this is not adopted highway, and not something the LHA is able to recommend a refusal on.

To try and mitigate some of the risks the LHA asked the applicant to redesign the footpath within the site to increase pedestrian safety, and this was

accommodated. The redesign includes marked parking bays near the path and a much wider formalised surface as well as low level lighting, whilst still leaving the larger site as unmade and more natural.

The reduction of car parking spaces has been evidenced to be appropriate for the existing and expected increase in use.

The applicant has since amended the red and blue line boundaries of the application site. The LHA has assessed the full site for safe function as per the initial boundaries.

The new car park to serve the showground will be accessed only via Railway Road, with additional security being installed around the car park, and additional signage being installed to deter vehicles using the wrong access point. The applicant has confirmed that the car park will be used for no more than 80 days per year, and the LHA assumes this will be conditioned by the Planning Authority.

A car park management plan has been created, which confirms use of the car park will always be managed by a third party company who will ensure no detrimental impact on the highway. The LHA would request this document, submitted as part of the supporting evidence, to be conditioned to ensure future compliance.

When the Great Yorkshire Show or the Flower show are on, alternative car parking arrangements will be in place as agreed as part of the event management plan, and approved by the LHA on an event only basis.”

- 9.57 The Highways Authority indicated that for clarity, a Travel Note setting out the proposed route into the site would provide clarity to members of the public and committee. This has been provided by the agent and provided on the public file.
- 9.58 Therein, the Highways authority do not object, subject to the inclusion of conditions relating to the formation and maintenance of the access, parking, turning and manoeuvrability of vehicles and the submission of a construction management plan. It is considered that suitable conditions can be applied to restrict the use and limit against an unacceptable intensification of use of the access use along Hookstone Wood Road and in relation to The Coach Road which serves as a cycle route in the National Cycle Network.
- 9.59 On consideration of the submitted amended information, subject to compliance with conditions, the proposal would not create unacceptable impacts on highways safety in line with NPPF paragraph 115 or demonstrably impact parking provision in line with Local Plan policy TI3.
- 9.60 Impact of the Public Right of Way
- 9.61 Policy HP5 of the Local Plan seeks to ensure development protects the amenity and recreational value of the Public Right of Way.

- 9.62 Public bridleway and footpath and Route 67 of the National Cycle Network proceeds adjacent to the proposed car park within this development; the bridleway footpath proceeds from Hookstone Drive along The Coach Road and terminated to the south west corner of the site with the footpath continuing within the woodlands to the north of the car park.
- 9.63 Route 67 of the National Cycle Network proceeds for the duration of The Coach Road and turns southeast to proceed along the Railway Road, adjacent to the Showground.
- 9.64 Whilst the development will be visible from public right of ways, the physical form of development would not alter the route and is not considered to be contrary to policy HP5, with matters of traffic impact to be considered under the highways section of the officer report.
- 9.65 Impact on Ecology and Biodiversity
- 9.66 Paragraph 186 of the National Planning Policy Framework states that when determining planning applications, local planning authorities should apply several principles. One of these states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy NE3 relates to protecting the natural environment.
- 9.67 The proposed padel courts are sited adjacent to a line of trees which connect to the Local Nature Reserve 'Hookstone Woods' as identified under Local Plan policy NE5.
- 9.68 The proposal would require the loss of tree T1, as identified within the submitted Tree Survey and accompanying plan. T1 is a Goat Willow which is considered not to form part of the ancient Woodland, however, provides a direct corridor link to this woodland. The Ecology Department raised concerns, indicating the Goat Will should be retained where possible.
- 9.69 Additional justification has been received to specify the declining condition and limited ecological benefit to the retention of the Goat Willow. The Ecological Department have advised that the loss of the tree would be acceptable, where the replanting of three Goat Willows would be planted within the site. This can reasonably be incorporated into a condition for a landscaping scheme in the event of approval. The Ecological Department additionally advise a condition for the works to the Goat Willow to take place outside of bird nesting season.
- 9.70 The proposal seeks to erect lighting in association with the use of the proposed padel Courts.
- 9.71 Paragraph 191 of the NPPF requires new development to be appropriate for its location taking into account the likely effects of pollution on health, living conditions and natural environment. Criteria C is relevant to this section and requires development to "limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."

- 9.72 The Ecological Department have been consulted and raised concerns with regards to potential light spill based to the Local Nature Reserve, Hookstone Woods based on the information as presented from the padel court and car parking lighting. Moreover, the submitted information did not clarify the specification of the lighting sufficiently and the submitted elevation and sections do not provide sufficient information to demonstrate that there would not be light spill.
- 9.73 Due to the sensitive location of the proposed padel courts and parking area, the Ecological department indicate that the proposal is considered to be located in a relatively dark outer suburb location, with low district brightness. As such, it is considered that lighting would comply with Zone 2 under the ILP Environmental Zone Guidance, which rates environmental from Zone 0 – Zone 5.
- 9.74 The agent submitted an amended lighting scheme with a supporting specification demonstrating the lighting can be installed and maintained to Environmental Zone E2 standard. Amended plans have been submitted which provide clarity that unacceptable light spill would not occur from the padel court with a solid outer appearance to the court boundary. The Ecological Department were reconsulted and raise no objection to the amended lighting information. A condition can be reasonably applied to ensure compliance with the submitted lighting scheme.
- 9.75 Impact on Arboriculture
- 9.76 Policy NE7 states that ‘Development should protect and enhance existing trees that have wildlife, landscape, historic, amenity, productive or cultural value or contribute to the character and/or setting of a settlement, unless there are clear and demonstrable reasons why removal would aid delivery of a better development.’
- 9.77 A Tree survey and Arboricultural Impact Assessment has been submitted as part of the application.
- 9.78 The submitted Arboricultural Survey, compiled by Smeeden Foreman, indicates the loss of 3 trees. 2 would be removed due to poor health (T20 and T47) and these are not directly related to the proposal works. One Willow tree (T1) is proposed to be removed in relation to the siting of the proposed padel courts. While there was an omission of supporting information in relation to the pre-application advice enquiry, the submitted documents as part of the present application indicate the lower classification of the tree due to health and longevity and indicate that this tree should be removed.
- 9.79 The Council's Arboricultural Department have been consulted and confirm that there are no objections to the proposal subject to the inclusion of conditions relating to the erection of Root Protection Area fencing and its maintenance during the construction phase. A condition is also requested for the submission of a landscaping scheme including the replanting of 3 trees in place of Willow T1.

- 9.80 Subject to compliance with these conditions, the proposal is not considered to create unacceptable Arboricultural impacts in line with Local Plan policy NE7.
- 9.81 Flood Risk and Drainage
- 9.82 Policy CC1 of the Local Plan states development proposals will not be permitted where they would have an adverse effect on watercourses or increase the risk of flooding elsewhere.
- 9.83 The proposal site is within a low-risk area for flooding according to the Environment Agency.
- 9.84 The car park would retain a grassed area with geogrid covering which would retain the ability for surface water run-off. The proposed padel courts are set to a hardstanding area currently utilised as car park, therein, there would not be a material impact on the ability for water to run-off from the site.
- 9.85 The proposal is not considered to create unacceptable flood risk or drainage concerns and the proposal is considered to accord with Local Plan policy CC1.
- 9.86 Environmental Health
- 9.87 The Council's Environmental Health team have been consulted and do not raise objections to the amended details. The bollards and photocells are not intrusive and it is only the column lights that have the potential to affect others. Considering the location of the site and provided the column lamps are directed onto the courts and do not cause glare to neighbouring residents.
- 9.88 The proposal is not considered to create a materially increased risk of exposure to land contamination and the officer does not raise concerns with regards to noise, vibrations or other potential nuisance in relation to residential amenity.
- 9.89 Other matters
- 9.90 Letters of representation have been addressed within this officer report as far as feasible, however the following seeks to address remaining concerns raised.
- 9.91 The grassed area proposed for car parking use is not a Local Green Space for public use and its access for this purpose and parking in relation to this use cannot be restricted, or controlled by the Local Planning Authority as a material consideration to this application.
- 9.92 Letters of representation comment that neither Sustrans, or Harrogate District Cycle Action have been notified about the application. Comments have been received and have been considered.

10.0 **PLANNING BALANCE AND CONCLUSION**

- 10.1 The proposal is set outside of the development limits of Harrogate as defined by Local Plan policies GS2 and GS3 and as such, requires the express support of Local or National Policy. In this case, the proposal is considered to relate acceptably to the existing sport and recreation facilities, is considered to have an acceptable landscape, highways and amenity impact subject to conditions. As such the proposal accords with Local Plan policy HP7 for the creation of new sports and Recreational facilities and is acceptable in principle.
- 10.2 The submitted design and siting of the proposal has an acceptable impact in scale, siting and appearance on the street scene and wider character of the Special Landscape Area and is considered to accord with policies HP3 and NE4 of the Local Plan as the provisions of the NPPF, with regards to the impact on the street scene and wider landscape.
- 10.3 Matters of Highways impact, Arboricultural impact, Ecology, Drainage and Environmental Health are considered to be either acceptable, or acceptable subject to condition in line with Local Plan policies TI3, NE7, NE3, CC1 and provisions of the NPPF.

11.0 **RECOMMENDATION**

- 11.1 That planning permission be GRANTED subject to conditions listed below.

Recommended conditions:

Condition 1 Time Limit

The development hereby permitted shall be begun on or before *3 years from consent*.

Reason; To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.

Condition 2 Approved Plans

The development hereby permitted shall be carried out in strict accordance with the application form and the following details and plans, as amended by the conditions of this consent;

Location Plan; drwg 930.01.(-)011, Rev H, received 14.02.2024

Proposed Site Plan; drwg no. 930.01(-)013, Rev G, received 08.08.2024.

Proposed Padel Court Overview Floor Plan; drwg no. 23X27X6.2- R2 Sheet 01, received 25.06.2024

Proposed Padel Court Lateral Section; drwg no. 23X27X6.2- R2 Sheet 02, received 25.06.2024

Proposed Padel Court Front Section; drwg no. 23X27X6.2- R2 Sheet 03, received 25.06.2024

Proposed Padel Court Middle Arc Section; drwg no. 23X27X6.2- R2 Sheet 04, received 25.06.2024

Proposed Padel Court General View Sections; drwg no. 23X27X6.2- R2 Sheet 05, received 25.06.2024

Proposed Padel Court Facades; drwg no. 23X27X6.2- R2 Sheet 06, received 25.06.2024

Proposed Padel Court Front Elevation; drwg no. 23X27X6.2- R2 Sheet 07, received 25.06.2024

Proposed Padel Court Rear Elevation; drwg no. 23X27X6.2- R2 Sheet 08, received 25.06.2024

Proposed Padel Court Gable End Elevation (1); drwg no. 23X27X6.2- R2 Sheet 09, received 25.06.2024

Proposed Padel Court Gable End Elevation (2); drwg no. 23X27X6.2- R2 Sheet 10, received 25.06.2024

Proposed Landscaping plan; SF3400 SK01, Rev L, received 08.08.2024
'Groundtrax' Car Park Surfacing Specification; received 09.01.2024.

Reason: In order to ensure compliance with the approved drawings.

Condition 3 Formation of access, parking, manoeuvring and turning areas

The padel courts and parking area hereby permitted shall not be brought into use until the access, parking, manoeuvring and turning areas for all users at Harrogate Sports and Fitness Centre have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

Condition 4 Construction Management Plan (discharge required)

No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

- details of any temporary construction access to the site including measures for removal following completion of construction works;
- wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
- the parking of contractors' site operatives and visitor's vehicles clear of the highway;

- areas for storage of plant and materials used in constructing the development clear of the highway;
- measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
- details of the routes to be used by HGV construction traffic and highway condition surveys on these routes pre and post construction;
- protection of carriageway and footway users at all times during demolition and construction;
- details of site working hours;
- a detailed method statement and programme for the building works; and
- contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of safeguarding highways safety and amenity during the construction phase.

Condition 5 Tree Protection

No development shall commence on site before the approved tree report detail (Smeeden and Foreman Tree Detail dated Oct 2023) including root protection area (RPA) fencing in line with the requirements of British Standard BS 5837: 2012 (section 6.2.2 figure 2) Trees in Relation to Construction – Recommendations, or any subsequent amendments to that document, around the trees or shrubs or planting to be retained, as indicated on the approved plan. The developer shall maintain such fences until all development subject of this permission is completed.

Reason: In the interest of safeguarding the visual amenity and health of trees to be retained within the site in line with Local Plan policy NE7.

Condition 6 Landscaping Scheme (discharge required)

A detailed scheme for landscaping, including the planting of trees and or shrubs and the use of surface materials shall be submitted to the Local Planning Authority (LPA) and no development, including the removal of Goat Willow (T1), shall take place until the LPA have approved such a scheme: such a scheme shall specify materials, species, tree and plant sizes, number and planting densities and the timing of the implementation of the scheme, including any earthworks required. The landscaping scheme must include the siting of 3 replacement goat willows will be planted, retained and managed for a minimum of 30 years.

Reason: In the interests of safeguarding the special significance of the street scene and landscape in line with policies HP3 and NE4.

Condition 7 Landscape Safeguard

In the event of failure of any trees or shrubs, planted in accordance with any landscaping scheme approved by the Local Planning Authority, to survive for a period of five years from the date of the completion of implementation of that scheme, thirty years in relation to the replacement Goat Willow, such trees or shrubs shall be replaced by the developer with such live specimens to the satisfaction of the Local Planning Authority.

Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

Condition 8 Padel Court Hour Restriction

The hours of use in relation to the padel courts hereby permitted shall be restricted to be within the following hours only;
07:00 – 22:00 Monday to Friday
08:00 21:00 Saturday, Sunday and Bank Holidays

Reason: In the interest of safeguarding the amenity of occupants to Hookstone Wood Road during unsociable hours in line with Local Plan policy HP4.

Condition 9 Car Parking Restriction

The car parking area hereby permitted in association with the Yorkshire Showground, outlined in purple on Proposed Site Plan drwg 930.01(-)013, Rev F is strictly limited to a maximum use by vehicles on up to 80 days of the year.

Reason: In the interest of safeguarding against further intensified use of the access road in association with car which if not restricted, may unacceptably highways safety risks to pedestrians and vehicle users and the amenity of occupants to Hookstone Wood Road during event days.

Condition 10 Car Park Management Plan (discharge required)

Traffic in association with the development hereby permitted must be managed in accordance with the submitted Car Park Management Plan VN232610 V4, received 29.01.2024, at all times.

Reason: In the interest of safeguarding against unacceptably highways safety risks to pedestrians and vehicle users on high traffic event days and to safeguard the amenity of occupants to Hookstone Wood Road during event days.

Condition 11 (Returning of land to grass)

The area within the development hereby permitted for car parking use shall be returned to its current grass condition, including the removal of the geo grid

structure, in the event that this car parking area is not used for a continuous period of 12 months.

Reason: In the interest of long term safeguarding of the amenity of the site within the context of the Special Landscape Area.

Condition 12 Ecology

The removal of goat willow T1 on site is to be removed is only to be carried out, outside of the bird breeding season (March – September, inclusive).

Reason: In the interest of safeguarding protected species in line with Local Plan policy NE3 and paragraph 186 of the NPPF.

Condition 13 Lighting

The external lighting to the development hereby approved must accord with the approved lighting scheme received 18.06.2024, comprising drawings; 5708-E-400 Rev P03, 5708-E-401 Rev P03, 5708-E-402 Rev P03 and lighting specification document 5708-RPT-E-001 Rev P04, compiled by Brentwood Consulting engineers.

Target Determination Date: 02 September 2024

Case Officer: Emma Walsh
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