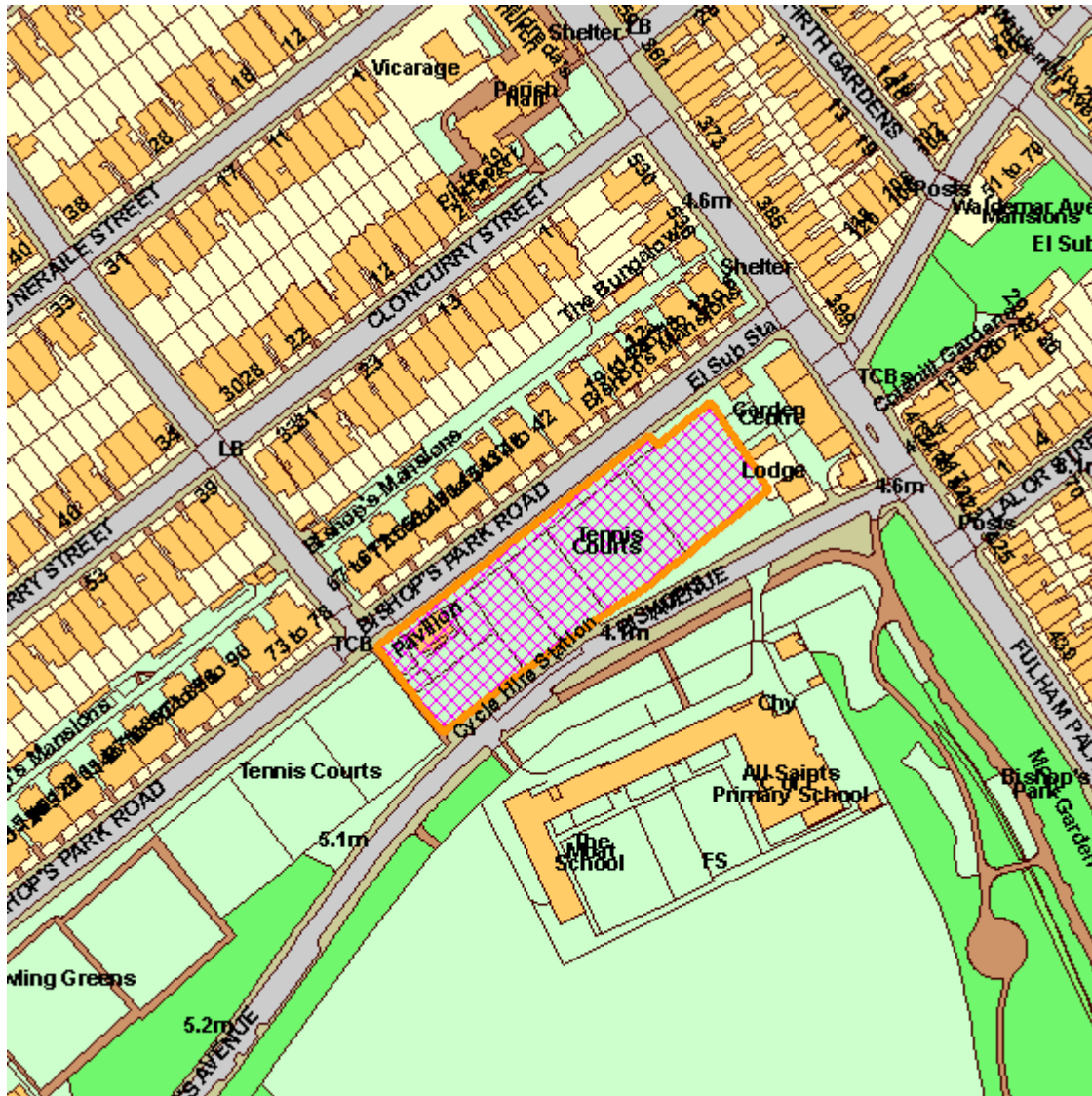


**Ward:** Palace Riverside

**Site Address:**

Bishop's Park Tennis Courts Bishop's Avenue London



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**For identification purposes only - do not scale.**

**Reg. No:**  
2020/01261/FUL

**Case Officer:**  
James Carleton

**Date Valid:**  
26.05.2020

**Conservation Area:**  
Constraint Name: Bishops Park Conservation Area  
- Number 5

**Committee Date:**  
21.07.2020

**Applicant:**

Mr Chris Warren

Bishops Park Tennis Centre Bishops Park Road London SW6 6DZ

**Description:**

Retention of fencing and glass surrounds within the existing tennis court area to create 3no. padel/mini tennis courts.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, The Economy, be authorised to determine the application and grant permission That the application be refused for the following reason(s):

- 1) The proposal is considered unacceptable on the grounds of visual amenity. More particularly, the addition of enclosures to the padel court perimeter fence by virtue of their design, scale, obscure materials with advertisement signage introduce a discordant feature which has an adverse impact on the visual permeability of this open space (Metropolitan Open Land) and would fail to preserve or enhance the Bishops Park Conservation Area. In this respect, the proposal is contrary to Policies DC1, DC8, OS1, OS2, RTC3, of the Local Plan (2018) and Key Principles AH1, AH2 and CAG3 of the Planning Guidance Supplementary Planning Document (2018).
- 2) The proposal is unacceptable on the grounds of residential amenity. The application site is in close proximity to nearby residential properties at Bishops Mansions in Bishop Park Road and it is considered that the existing use has a harmful impact in terms of nuisance, noise and disturbance. The Noise Impact Assessment does not include sufficient information to draw robust conclusions regarding the regular use of the padel courts. The proposal is contrary to Policies DC1, CF3, CC11, CC13 of the Local Plan (2018) and Key Principle NN1 and NN2 of the Planning Guidance Supplementary Planning Document (2018).

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**LOCAL GOVERNMENT ACT 2000  
LIST OF BACKGROUND PAPERS**

**All Background Papers held by Andrew Marshall (Ext: 4841):**

Application form received: 22nd May 2020

Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2019  
The London Plan 2016  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

**Comments from:**

Historic England London Region

**Dated:**

01.06.20

**Neighbour Comments:**

**Letters from:**

**Dated:**

26 Thornton Road Wimbledon SW19 4NG	08.06.20
Flat 3 19 Wetherby Gardens London SW5 0JP	08.06.20
50 alexandra road london sw148dn	09.06.20
123 Bishop's Mansions Bishop's Park Rd London SW6 6DY	11.06.20
132 Bishops Park Road London SW6 6DY	11.06.20
132 Bishops Mansions Bishops Park Road Fulham SW6 6DY	11.06.20
90 Bishops Mansions Bishops Park Road London SW6 6DY	13.06.20
Flat 6 53 Augustus road London SW19 6LW	07.06.20
69 Voltaire Buildings 330 Garratt Lane Earlsfield SW18 4FQ	08.06.20
107A Wandsworth Bridge Road London SW6 2TE	12.06.20
31 Cloncurry Street London Sw6 6dr	06.06.20
Flat 1, Bishops Mansions, Bishops Park Road SW6 6DZ	06.06.20
6 Felden Street London sw6 5af	06.06.20
11 Burlington Lodge Studios London SW6 4JJ	06.06.20
55 Tasso Road London W6 8LY	09.06.20
40 Queensmill road Fulham London SW66JS	10.06.20
189 Queens Road London SW19 8NX	07.06.20
4 Cambridge grove London W6 0LA	07.06.20
8 Cloncurry Street Fulham LONDON SW6 6DS	08.06.20
Wollaston lodge Wollaston Halfway house Shrewsbury Sy58dn	10.06.20
Mooring 1-12 Eastfields Avenue London SW18 1LP	10.06.20
65 Inglethorpe Street London sw6 6nu	04.06.20
11b Carmalt Gardens London SW15 6NE	05.06.20
143 Bishops Mansions Stevenage Road London SW6 6 DX	06.06.20

22 felden street London Sw6 5af	07.06.20
56 Colehill Lane Fulham London SW6 5EG	12.06.20
132 Bishops Mansions Bishops Park Road London SW6 6DY	12.06.20
92 Bishops mansions bishops park road London SW6 6DY	12.06.20
1a Neville Avenue New Malden KT3 4SN	10.06.20
Daisy lea Huddersfield HD3 3LP	07.06.20
40 Bishops Mansions Bishops Park Road London SW6 6DZ	12.06.20
37 Crookham Rd LONDON SW6 4EG	12.06.20
39 Fulham Park Gardens London Sw6 4jx	06.06.20
26 Dryburgh Road London SW15 1BL	07.06.20
100 Bishops Mansions Bishops Park Road LONDON SW66DY	11.06.20
216 Old Brompton Road Flat 13 Boltons Court SW5 0BZ	07.06.20
36 Bishops Road Fulham Sw67ah	07.06.20
85 CALBOURNE road London Sw12 8LS	07.06.20
115 Westbourne Terrace Flat 53 London W26QT	07.06.20
186 Montrose house petersham road Richmond Tw10 7AD	07.06.20
17 Ensor Mews London SW7 3BT	07.06.20
70 Biscay Road London w6 8JN	07.06.20
42 Wardo Avenue London SW66RE	07.06.20
9A Talgarth Road London W149DB	07.06.20
Flat 2 20 westgate terrace London Sw10 9bj	07.06.20
56 Church Path Chiswick LONDON W4 5BJ	07.06.20
13 Glenthams Road London SW13 9JB	08.06.20
120 Kyrle Road London SW11 6BA	08.06.20
7 Cloncurry Street London SW6 6DR	08.06.20
15 Clareville Grove London SW7 5AU	08.06.20
7 CLONCURRY STREET FULHAM SW66DR	08.06.20
87 Gowan Avenue London SW66RQ	08.06.20
29b Oakbury Road London SW6 2NN	09.06.20
29 Parsons Green London SW6 4UJ	08.06.20
12 Rosedew Road London W6 9ET	11.06.20
27 Bishops Mansions Bishops Park Road London SW6 6DZ	22.06.20
73 Bishops Mansions Bishops Park Road Fulham SW66DY	11.06.20
Anselm Road London SW6 1LH	06.06.20
68 Bishops Park Road London SW6 6DZ	11.06.20
27 Bishops Mansions Bishops Park Road London SW66DZ	22.06.20
66 Bishops Mansions Bishop's Park Road London SW6 6DZ	10.06.20
Flat 3 22 Oberstein Road London SW11 2AE	04.06.20
Flat 71 Bishops Mansions London SW6 6DZ	04.06.20
114 Bishops Mansions Bishops Park Road Fulham SW6 6DY	08.06.20
43 Napier Avenue London SW6 3PS	12.06.20
64 Colehill Lane London SW6 5EG	12.06.20
56 colehill lane London SW6 5eg	12.06.20
132 Bishops Mansions Bishops Park Road London SW6 6DY	12.06.20
11 Burlington Lodge Studios London SW6 4JJ	06.06.20
11 Atalanta street London Sw6 6tu	06.06.20
13 Palliser Road London W14 9EB	06.06.20
40 Finlay Street London SW66HD	06.06.20
202 Kennington Lane Flat 5 London SE11 5DL	06.06.20
Flat 4 32 arterberry road London Sw208aq	08.06.20
131 Bagleys Lane London SW6 2FW	09.06.20
78 Ellerby St London Sw66 wz	06.06.20

51 Bishops mansions London Sw6 6dz	06.06.20
8 Dean Ryle street Flat 519 London Sw1p 4da	06.06.20
84, Kenilworth Ave Wimbledon London SW197LR	06.06.20
33 Takeley Park Hatfield Broadoaks Rd Bishops Stortford CM22 6TD	06.06.20
Fulham Broadway 10 London Sw61aa	06.06.20
Flat 2, 20 Westgate Terrace London Sw10 9bj	06.06.20
23 Tetcott Rd London Sw100sb	06.06.20
73 Muscal house London W68ht	06.06.20
20 Melrose Gardens London W6 7RW	06.06.20
64 Gloucester Gardens Flat 10 London W2 6BN	06.06.20
48 Uverdale Road London SW10 0SR	07.06.20
37 Midmoor London SW12 0EW	09.06.20
Flat 1, Bishop's mansion Bishops Park Road London SW6 6DZ	13.06.20
12 Nella Road London W6 9PB	13.06.20
36 Greswell Street London SW6 6Pp	07.06.20
30 Oswald rd London Sw177ss	07.06.20
15 Hestercombe Avenue Fulham SW6 5LL	07.06.20
5 Lightermans Walk London sW18 1PS	08.06.20
51 ROSAVILLE ROAD LONDON SW6 7BN	08.06.20
463 Fulham Palace Road London SW6 6SU	04.06.20
121 Bishops Mansions Bishops Park Road London SW6 6DY	10.06.20
97 Bishops Park Road London SW6 6DY	10.06.20
20 Frewin Road Frewin Road London SW183LP	08.06.20
Flat D, 2 The Lanchesters 162-166 Fulham Palace Rd W6 9ER	08.06.20
59 Haldon Road London SW18 1QF	10.06.20
50 Bishops Mansions London SW6 6DZ	10.06.20
Clayhanger purse caundle Sherborne DT9 5QZ	07.06.20
39 Margravine gardens London w6 8rn	11.06.20
94 Bishops Park Road London SW6 6DY	11.06.20
72 Settrington Rd Fulham London SW6 3BA	08.06.20
143 Bishops Mansions Stevenage Road London SW6 6DX	08.06.20
59 Carlisle Mansions Carlisle Place London Sw1p 1hy	06.06.20
143 Bishops Mansions Stevenage Road London SW6 6 DX	09.06.20
143 Bishops Mnsions Stevenage Road London SW6 6DX	09.06.20
12 felden street fulham sw6 5af	06.06.20
31 Halford Road London SW6 1JZ	09.06.20
85 Bishops Mansions Bishops Park Road London SW6 6DY	11.06.20
118 Bishops Mansions London Sw6 6dy	11.06.20
56 BISHOPS MANSIONS BISHOPS PARK ROAD SW6 6DZ	11.06.20
110 Bishops Mans. Bishops Park Rd. Fulham SW6 6DY	11.06.20
12 Nella Road Fulham W6 9PB	11.06.20
57 Bishop's Mansions Bishops Park Road London SW6 6DZ	10.06.20
37 Midmoor rd London Sw12 0EW	09.06.20
8 Hazelbury rd London Sw62nb	09.06.20
79 Gayford Road London W12 9BY	10.06.20
4 Oak Cottages Hatton Hall Lane Chester CH3 9AR	11.06.20
138 Bishop's Mansions Stevenage Road London SW66DX	12.06.20
37 Midmoor rd London SW120EW	09.06.20
55 Bishop's Mansions Bishop's Park Road London SW6 6DZ	11.06.20
51 ROSAVILLE ROAD LONDON SW6 7BN	08.06.20
Flat 14 Elm Bank Mansions, The Terrace London SW130NS	06.06.20

106 Sutherland grove London Sw18 5qw	07.06.20
24 Kimbell Gardens London SW6 6QQ	07.06.20
Flat 1, Bishops Mansions, Bishops Park Road SW6 6DZ	06.06.20
Lane End Little Common Lane Bletchingley RH1 4QF	07.06.20
23 Tetcott Road London Sw100sb	07.06.20
Flat 12 Bishops Mansions Bishops Park Rd London SW6 6DZ	06.06.20
12A Dorothy Road London SW11 2JP	07.06.20
25 Rigault Rd London SW64JJ	07.06.20
31 Denning Mews London SW12 8QT	07.06.20
99 Calbourne Road London Sw12 8ls	07.06.20
3 Knowsley Road London SW11 5BN	07.06.20
2 Doric Way Flat H London Nw11lx	06.06.20
17 Elthiron Road London SW6 4BN	06.06.20
4 Melville Road London SW139RJ	06.06.20
22a Overstone Road London London W6 0AA	07.06.20
19 Oxford Road London SW15 2LG	08.06.20
84 Chesilton Rd London SW6 5AB	08.06.20
13 Atalanta Street London SW6 6TU	08.06.20
112 Sherbrooke Road Fulham SW6 7qn	07.06.20
5 stadium street London Sw10 0PU	07.06.20
13 bakery close LONDON sw9 0eb	07.06.20
112 Bishops Park Road Fulham SW6 6DY	07.06.20
171 rivermead court ranelagh gardens London SW6 3SF	07.06.20
Flat 13 Boltons Court 216 Old Brompton road London SW5 0BZ	07.06.20
11 Odyssey House 844 Garratt Lane London SW17 0GS	06.06.20
20 Shipton Street London E2 7RU	07.06.20
18a Rowallan Road London Sw66ag	07.06.20
18a Rowallan Road London Sw66ag	28.05.20
34 Southerton Road London W6 0PH	08.06.20
107 Queensmill Road London SW66JR	06.06.20
12 felden street fulham sw6 5af	06.06.20
14 Lyon House 104 Wandsworth High Street London SW18 4LA	06.06.20
13, Sir Alexander Rd London W37JG	23.06.20
59 Rostrevor Road London SW6 5AR	29.06.20
104 Bishops Mansions Bishops Park Road SW6 6DY	26.06.20
19 Binden Road London W12 9RJ	26.06.20
58 Perrymead Street London SW6 3SP	23.06.20
9 Margravine Road London W6 8LS	29.06.20
45 Rusholme Road London Sw153lf	26.06.20
61 Meadowbank Close London SW6 6PE	29.06.20
63 Earl's Court Road London W8 6EE	18.06.20
57 Finlay Street London Sw6 6hf	26.06.20
51 Bishops Park Mansions bishops park road Fulham SW66DZ	26.06.20
75 Cardross Street London W6 0DP	29.06.20
9 Edenhurst Ave London Sw6 3PD	04.07.20
36 Bishop's Mansions Bishop's Park Road London SW6 6DZ	15.06.20
12 Felden St London SW6 5AF	26.06.20
Flat 10 Ruvigny Mansions Embankment Putney SW15 1LE	29.06.20
104a Broughton Road London Sw6 2lb	15.06.20
68 Oxberry Avenue London SW6 5SS	28.06.20
53 Cloncurry Street London SW6 6DT	25.06.20
51 Bishops Mansions Bishops Park Road London SW66DZ	26.06.20

51 westover road London Sw182rf	26.06.20
91, Bishop's Mansions Bishop's Park Road London SW6 6DY	30.06.20
176 Dawes Road London SW67HS	30.06.20
20 Cloncurry Street London SW6 6DS	03.07.20
Barfield House Cranleigh RH12 3DE	25.06.20
The Bridge AP Academy Fulham London SW6 6HB	29.06.20
62 Tamworth Street London SW61LE	30.06.20
86 Langthorne street London sw6 6jx	28.06.20
4 Comeragh Road London W14 9HP	27.06.20
26 Martingales Close Richmond TW10 7JJ	22.06.20
Flat 2 41 Bishops Mansions Bishop's Park Rd SW6 6DZ	16.06.20
133 Bishops Mansions Stevenage Road London SW6 6DX	26.06.20
6D Roland Gardens London SW73PH	26.06.20
Flat 12, 46 Falcon Road London SW11 2LR	22.06.20
Appartement 71 8 Kew Bridge Road London TW80FD	28.06.20
Fulham London SW6 6HE	26.06.20
Fulham London SW6 6HE	26.06.20
58 Perrymead Street London SW6 3SP	26.06.20
30 Coniger Road London SW6 3TA	29.06.20
34 Hannah Building 56 Watney Street London E1 2QU	25.06.20
34 Hannah Building 56 Watney Street London E1 2QU	25.06.20
130 hurlingham road london sw6 3nf	27.06.20
3,Bishops mansions Bishops park road London sw66dz	15.06.20
Flat 10 Ruvigny Mansions Putney Embankment SW15 1LE	26.06.20
33 Cloncurry Street London SW6 6DR	25.06.20
22 Strathearn Road Wimbledon SW19 7LH	01.07.20
49 Thorpebank Road London W12 0PG	26.06.20
157 Clonmore Street London SW18 5HD	29.06.20
27 Sherbrooke Rd London SW67QJ	28.06.20
39 Perrers Road London W6 0EZ	26.06.20
18 Bishop's Mansions London SW66DZ	17.06.20
8 Bloemfontein Avenue London W12 7BL	28.06.20
28a Putney High Street Flat 7 London Sw15 1SQ	20.06.20
Flat 36 321-345 Churchfield Mansions London SW6 4RA	29.06.20
39 Crabtree Lane London SW6 6LP	26.06.20
33 Cloncurry Street London SW6 6DR	16.06.20
Flat2,1a Osiers Road London SW18 1NL	27.06.20
48 Carlisle Place London SW1P 1HY	16.06.20
139 North End House Fitzjames Ave London W140RZ	15.06.20
139 North End House Fitzjames Ave London W140RZ	29.05.20
10B New Kings Road London SW6 4SA	26.06.20
3 Waterfront House 20 Lombard Road London SW11 3RU	22.06.20
28 Wolverton Gardens London W6 7DY	26.06.20
Flat 24 Elmfield Mansions London SW17 8AA	26.06.20
4 Ellerby Street London SW6 6EY	14.06.20
104 Bishops Mansion Bishops Park Road Fulham SW6 6DY	25.06.20
126 BISHOPS MANSIONS BISHOPS PARK ROAD SW6 6DY	21.06.20
75 Cardross St LONDON W60DP	26.06.20
55 Schubert Road London SW15 2qt	26.06.20
26 Trafalgar House Juniper drive London Sw18 1gy	15.06.20
5 holmbush Road London SW15 3LE	23.06.20
135 Bishops Mansions Bishops Park Road Fulham SW6 6DX	16.06.20

13 Vaughan Avenue London W60XS	29.06.20
13 Geraldine Road WANDSWORTH SW18 2NR	22.06.20
128 Bishops Mansions Bishops Park Road London SW6 6DY	21.06.20
84 Chesilton Road London SW6 5AB	27.06.20
1 Penates Littleworth Common Road Esher KT109UH	29.06.20
68 Lilyville Road London SW6 5DW	16.06.20
55 Cloncurry St London SW6 6DT	29.06.20
9 PALACE GATE FLAT 4 London W8 5LS	26.06.20
1 Slade Court Slade Road Ottershaw KT160JJ	26.06.20
Officers Mess, Victoria Barracks, Sheet street Windsor SL4 1HF	26.06.20
91 Langhtorne Street London SW6 6JU	30.06.20
9 penthouse 345 charles court london SW15 6XP	06.07.20
Flat D 6 Roland Gardens London SW7 3PH	26.06.20
41 Hambalt Road London SW4 9EQ	06.07.20
21A Claremont Lane Esher KT10 9DP	04.07.20
Cloncurry Street London SW6 6DT	29.06.20
32 Bishops Mansions Bishops Park Rd London SW6 6DZ	23.06.20
39 Fulham Park Gardens London SW6 4JX	26.06.20
37 Avon Court Keswick Road London SW15 2JU	29.06.20
144 Bishop's Mansions Bishop's Park Road Fulham SW6 6DX	22.06.20
89 Queens Road London SW14 8PH	25.06.20
22 Lysia street London SW6 6NG	26.06.20
13 Bolingbroke rd London W14 0AJ	26.06.20
137 Bishops Mansions Fulham SW66DX	15.06.20
18a Rowallan Road London SW66AG	29.06.20
368 High street Flat 15 London TW8 0bd	27.06.20
5 grasmere Avenue london w3 6jt	29.06.20
Flat 18 Rostrevor Mansions Rostrevor Road London SW6 5AP	01.07.20
101 Bishops Mansions Bishops Park Road London SW6 6DY	25.06.20
20 Melrose Gardens London W6 7RW	28.06.20
30 Ellerby Street London SW6 6EY	30.06.20
13 BURNTHWAITE ROAD LONDON SW65BQ	26.06.20
1Cowper Road London W7 1EL	27.06.20
10 Chancellors Street London W6 9RN	24.06.20
10 Fonthill House, 66 Russell Road London W14 8JD	29.05.20
44 Addison Road London W14 8JH	29.05.20
425 Fulham Palace Road London SW6 6SU	29.05.20
NAG	01.06.20
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NAG	02.06.20
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NAG	29.05.20
NAG	28.05.20



NAG	28.05.20
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NAG	28.05.20
NAG	28.05.20
NAG	28.05.20
NAG	28.05.20
NAG	28.05.20
13C Haldon Road Putney SW18 1QD	26.06.20
24 Ellerby Street Fulham SW6 6EY	26.06.20
143 Bishops Mansions Stevenage Road London SW6 6DX	14.06.20

## OFFICER'S REPORT

### 1.0 SITE CONTEXT

1.1 The application site relates to 3 outside public tennis courts in Bishop's Park. The Park are situated on the north side of Bishop's Avenue, the south side Bishop's Park Road and to the east is Fulham Palace Road.

1.2 The surrounding area is mixed in character. To the south-east is the Moat School and Fulham Palace Meadow Allotments - the latter is within a designated nature conservation area. To the north-west, the closest residential properties are the three-storey flatted developments at Bishops Park Mansions on Bishop's Park Road. Within the Park, fronting Bishops Park Road there is a single row of mature trees between the tennis courts and the Bishops Park Mansions.

1.3 Bishop's Park is designated as public open space, Metropolitan Open Land and is on the English Heritage Register of Parks and Gardens of Special Historic Interest. It also forms central part of the Bishops Park Conservation Area. The site is situated within a flood risk zone 3 and within the Thames Policy Area.

### 2.0 RELEVANT PLANNING HISTORY

2.1 In 2009 planning permission (ref. 2009/01393/FR3) was granted for 15 floodlight columns (8m in height), supporting a total of 18 floodlights, to illuminate 5 refurbished tennis court (courts 8-12).

2.2 In 2012, planning permission (2012/02548/VAR) was granted to allow floodlights within the tennis courts to be used until 21:00 hours.

2.3 In 2014, planning permission (ref.2014/03015/FUL) was granted for floodlighting including the installation of 3 lamps to existing floodlight columns for courts 10-11, 15 new floodlighting columns (800mm) with 18 mounted lamps to be located at courts 1-5, the children's court and court 12.

2.4 In February 2020, a retrospective planning application (ref. 2019/01504/FUL) was refused for the retention of fencing and glass surrounds within the existing tennis court area to create 3 no. padel courts on the following grounds:-

1. The proposal is considered unacceptable on the grounds of visual amenity. More particularly, padel perimeter enclosures by virtue of their design, scale obscure materials with advertisement signage introduce a discordant feature which has an adverse impact on the visual permeability of this open space, (Metropolitan Open Land) and would fail to preserve and enhance the Bishop's Park Conservation Area. In this respect the proposal is contrary to policies DC1, DC4, DC8, OS1, OS2, RTC3, of the Local Plan 2018 and key principles AH1, AH2, and CAG3 of the Planning Guidance Supplementary Planning Document (2018)

2. The proposals are unacceptable on the grounds of residential amenity. The application site is in close proximity to nearby residential properties at Bishop's Mansions in Bishop's Park Road and it is considered that the existing use has a harmful impact in terms of nuisance, noise and disturbance. The application submission include insufficient evidence such as noise report, site management plan or mitigation measures to justify the acceptability of the impact of the proposals on the residential amenity of existing neighbouring occupiers. In these respects, the proposal is contrary to Policies CF3, CC11, CC13 of the Local Plan (2018) and key principles NN1 and NN2 of the Planning Guidance Supplementary Planning Document (2018).

2.5 The current application follows on from the previous refusal, and seeks the retention of fencing and glass surrounds within the existing tennis court area to create 3no. padel courts. The proposals have been amended to include a noise impact assessment and removal of some mesh fencing.

### 3.0 PUBLICITY AND CONSULTATION RESPONSES

3.1 In addition to site and press notice, 445 individual notification letters were sent to surrounding properties.

3.2 In total 294 representations have been received. Of these 242 were support letters (including 10 from Bishops Mansions) and 52 were objections (including 45 from Bishops Mansions). A summary of the main representations were as follows: -

#### Objections

- padel courts were created without planning permission
- excessive noise, when compared to conventional tennis courts
- Noise Impact Assessment, is inaccurate and does not reflect the experiences of local residents
- padel court operates late at night
- padel courts is uncharacteristic within the area
- glass barriers and associated advertising signage are obtrusive, and reduce the sense of openness of the historical Bishops Park
- Floodlights are unsightly and out of character with the conservation area (officer response: the floodlights are existing and do not form part of the proposals)
- Padel courts are blue and orange, as opposed to dark green as stated on the current application (officer response: the painting of the courts does not require planning permission)

- padel courts and other multi use games, intensifies the use, increases noise, traffic congestion and on- street parking pressure.
- padel courts reduces the number of available tennis courts

### Support

- padel courts are a popular attraction within the local community
- accessible, social and inclusive sport which increases sports participation
- limited number of public padel courts exist in London and the UK
- exercise/health benefits
- Noise Impact Assessment indicates there is no adverse impact to local residents
- Noise generated from the padel courts is no louder compared to regular tennis courts
- Courts are only open during social hours, preventing undue disturbance to neighbours
- Noise disturbance from nearby football stadium is far greater
- Courts are in keeping within the area
- Beneficial to the local economy, job creation (coaching and administration) and diversification
- Free use of the courts is offered to state primary schools within the borough

3.3 Historic England raise no objections.

## 4.0 PLANNING CONSIDERATIONS

4.1 The main planning considerations to be considered include the following;

- acceptability of the use in principle
- visual impact
- residential amenity
- highways

### PRINCIPLE

4.2 Policy OS1 (Parks and Open spaces) of the Local Plan 2018, supports the enhancement of parks, open spaces and recreational facilities throughout the borough. Amongst other things, Policy CF3 of the Local Plan 2018, supports the enhancement of recreation and sport facilities, subject to the local impact of venues being managed without added detriment to local residents.

4.3 Class D2 of the Town and Country Planning Use Classes Order 1987 relates to the use of premises for entertainment and leisure purposes and includes outdoor sports or recreations. The use of outdoor tennis courts and padel courts, both fall within Class D2 which means that under national guidelines, the proposals do not involve a material change of use.

4.4 The development relates to the re-use of some existing tennis courts as padel courts and would not result in a loss of existing open space. The proposed use is therefore acceptable in principle, subject to neighbour and highways which are considered in the paragraphs below.

## VISUAL AMENITY

4.5 Policy DC1 seeks to create development of a high quality of design which respects its townscape context and heritage assets. Policy DC8 states that the Council will seek to consider proposals within Conservation Areas against the need to conserve the borough's historic environment by protecting, restoring, and enhancing its heritage assets. Policy RTC3 states that development will not be permitted within the Thames Policy Area unless it respects the riverside, including the foreshore, context and heritage assets; is of a high standard of accessible and inclusive design; and maintains or enhances the quality of the built, natural and historic environment. Policies OS1 and OS2 of the Local Plan (2018) have the aim to protect, enhance and increase the provision of parks and openspace in the borough by improving existing recreational facilities.

4.6 Key Principles AH1 and AH2 of the Planning Guidance Supplementary Planning Document (2018) requires applicants to provide a description on the significance of heritage assets affected by the proposal, and that Council will seek to identify and assess the particular significance of any element of the historic environment that may be affected by the proposal.

4.7 The design and appearance of the padel courts has been altered slightly to remove some mesh fencing (3m high) that is perpendicular to Bishops Avenue. Although, this change is welcome, it is not considered that this overcomes the previous reason for refusal.

4.8 The Park is on the English Heritage Register of Parks and Gardens of Special Historic Interest, it lies within the Bishops Park Conservation Area and there are 3 Buildings of Merit close to the tennis courts, the clubhouse and the two red brick garden centre lodge buildings adjacent to the park entrance off Fulham Palace Road.

4.9 The character of this part of the park is open and linear but with strong definition from the avenue of mature trees along the north side of the courts (Bishop's Park Road) and those trees clustered at the south west end and the south east end which screen it from the garden centre lodge buildings. The Scheduled Monument of Fulham Palace, its moat and the Warren lie to the south of Bishop's Avenue but have a separate character, surrounded by dense landscape and screened by the modern school buildings within the grounds.

4.10 The 3 padel courts are located near the front of the pavilion, replacing 3 of the four mini children's courts and 1 regular tennis court immediately to the north east of the pavilion. The padel courts differentiate from the regular tennis courts by being enclosed by clear glass screens surrounding the perimeter of the court, with dimensions of 3m by 4m.

4.11 The proposed glass panelling supported by black mesh fencing, introduces an additional visual barrier to the perimeter enclosures. Whilst the new enclosures are primarily transparent, they are still visible and the black mesh fencing extends approximately 1 metre in height above the established outer uniform green mesh fencing, collectively these enclosures erode the sense of openness by interrupting views across the open space. Notably, advertisement signage has been added to the glass panels and this wraps around the entire perimeter, which also reduces the sense of

openness. Whilst it is acknowledged that planning permission is not required for the signage, advertisement consent would be required, and the introduction of the glass panelling facilities or allows the placement of advertising, some of which may not require express advertisement consent from the local planning authority.

#### Impact on heritage assets

4.12 When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 193 of the NPPF (July 2018) states that "...great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 194 states that "any harm to or loss of, the significance of a designated heritage assets, (from its alteration or destruction, or from development within its setting), should require clear and convincing justification". Paragraph 197 states that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

4.13 The proposed enclosures would interrupt views across open space that forms part of Bishops Park which is itself included on the English Heritage Register of Parks and Gardens of Special Historic Interest and also forms a central part of the Bishops Park Conservation Area. As such, the development would have a harmful impact upon existing heritage assets.

#### Overall Planning Balance

##### 4.14 Disadvantages

- harmful noise impact to existing neighbouring residents
- enclosures including associated advertising signage are obtrusive, and reduce the sense of openness

##### 4.15 Benefits

- adds to range of sports activity
- exercise/health benefits
- job creation benefits local economy
- Free use of the courts is offered to state primary schools within the borough

4.16 Officers consider that the location and scale of the development would have less than significant harm to the heritage assets, the benefits resulting from the proposals would not outweigh the harm caused to heritage assets.

4.17 Overall, the introduction of additional fencing of varying design and scale to the perimeter enclosures adds significant visual clutter and reduces visual permeability across the open space. The proposals are contrary to s.72 of the Planning (Listed Buildings and Conservation Areas Act) 1990, Local Plan Policies DC1, DC8, OS1, OS2 and RTC3 and Planning Guidance SPD Key Principles, AH1, AH2 and CAG3.

## RESIDENTIAL AMENITY

4.18 Amongst other things, Policy CF3 of the Local Plan 2018, seeks to support the continued presence of the borough's leisure, recreation and sports venues subject to the local impact of venues being managed without added detriment to local residents. This will require proposals for new and expanded venues to be accessible and inclusive and to be supported by evidence of how impacts such as noise, traffic, parking and opening hours have been assessed, minimised and mitigated. Policies CC11 and CC13 of the Local Plan (2018) and NN1 and NN2 of the Planning Guidance Supplementary Planning Document (2018) specify that all proposed development will be required to demonstrate that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers as a result of nuisances (including noise).

4.19 The padel courts are within 25-30m distance from the closest residential properties, Bishops Mansions on Bishops Park Road. A Noise Impact Assessment has been submitted, which concludes that the padel courts do not generate noise that would result in harm to local residents. This conclusion is at odds with a significant number of objections raised by residents at Bishop's Mansions, who have indicated the sound of the ball hitting the rackets and the glass screens is very noticeable and intrusive and have questioned the methodology of the assessment.

4.20 The Council's noise and nuisance team have reviewed the report and have raised several concerns. Notably, the sound assessment was taken over a single morning only. For development of this nature, an assessment period of several days including weekends would have provided a more robust appraisal of the worst case noise and likely impact. The report fails to specify how many people are using the court during the assessment period, the types of players or the intensity. A competitive adult tournament is likely to generate considerable more noise, compared to a leisurely family game. Given these reservations, it is not possible to draw robust conclusions from the submitted report particularly if the information is extrapolated and related to regular use. On this basis, officers raise objections to the proposals.

4.21 The proposals are contrary to Section 16 of the National Planning Policy Framework (2019), Policies DC1, DC8, OS1, OS2, CF3, RTC3, CC11, CC12 of the Local Plan (2018) and Key Principles AH1, AH2, NN1, NN2 and CAG3 of the Planning Guidance Supplementary Planning Document (2018).

## HIGHWAYS

4.22 Local Plan Policy T1 (Transport) supports the London Plan, with Policy T2 (Transport Assessments and Travel Plans) stating that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion.

4.23 The Council's highways officers have considered the proposals and raise no objections. It is not considered that the replacement of 3 children's tennis courts and a full-sized tennis court with 3 padel courts would result in an increase in the number of users on court that would result in demonstrable harm in terms of local traffic and on-street parking.

4.24 The proposals would accord with Policies T1 and T2 of the Local Plan.

## 5.0 CONCLUSION

5.1 The additional perimeter enclosures adds significant visual clutter and harms the sense of openness to the park. The application site is in close proximity to the residential occupiers at Bishop Mansions, and the nature of the padel courts results in a noise impact that causes demonstrable harm to neighbouring residents.

## 6.0 RECOMMENDATION:

6.1 That the application be refused permission.