



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**CENTRAL AREA PLANNING COMMITTEE  
2 JUNE 2021**

<b>Application Number</b>	<b>21/00249/FUL</b>
<b>Location</b>	Park Drive Fitness And Squash Club Park Drive Maldon
<b>Proposal</b>	Proposed all-weather cover to existing padel courts, proposed new show court and office / change area
<b>Applicant</b>	Mr Richard Hall-Smith – Go-Padel
<b>Agent</b>	Mr Chris Robards – Ridgeway Building Design Ltd
<b>Target Decision Date</b>	07 June 2021
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	<b>MALDON TOWN COUNCIL</b>
<b>Reason for Referral to the Committee / Council</b>	Council Owned Land

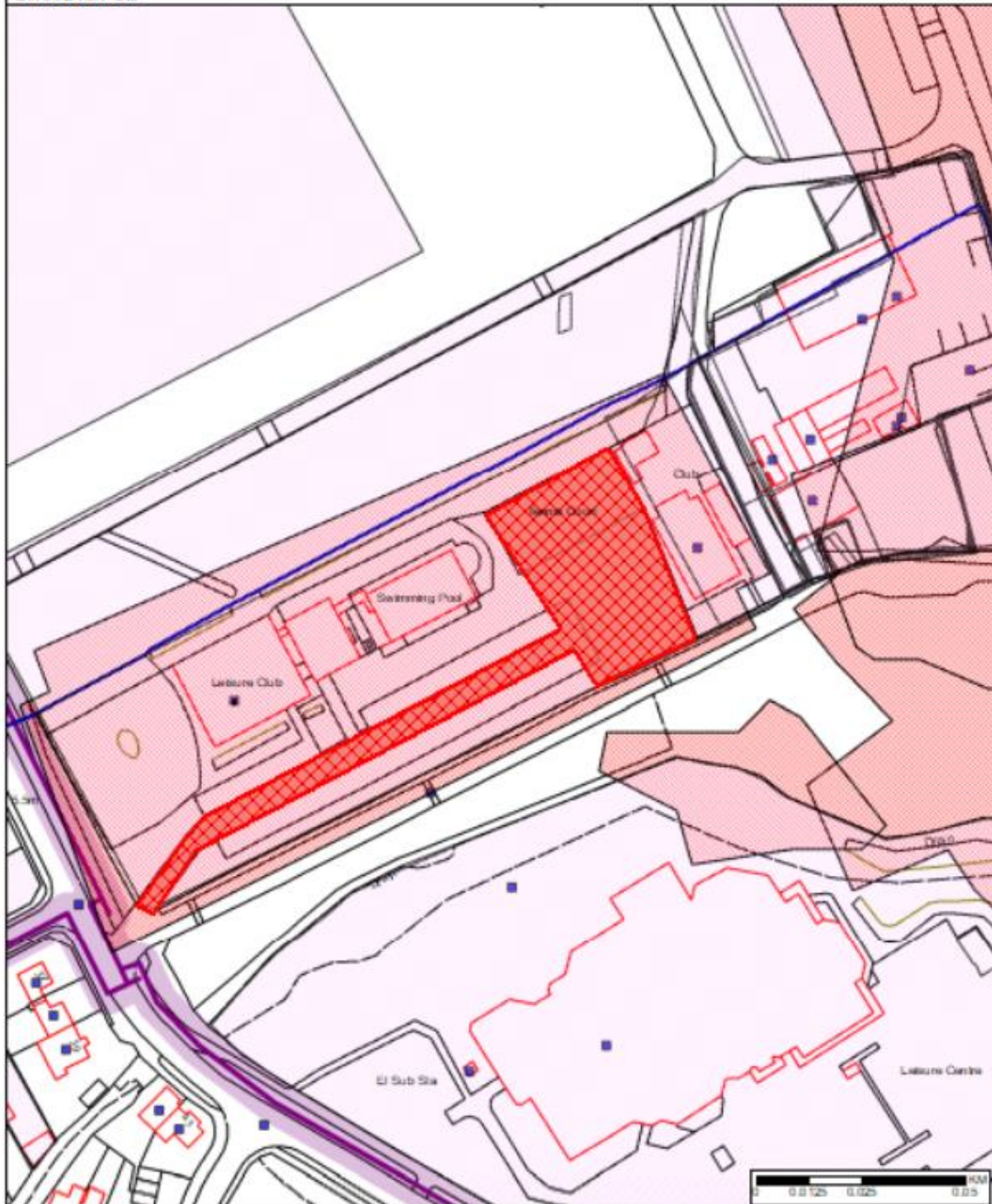
**1. RECOMMENDATION**


**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

**2. SITE MAP**

Please see below.

**Park Drive Fitness and Squash Club, Maldon**  
**21/00249/FUL**



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Area Committee
	Date:	05/05/2021
<a href="http://www.maldon.gov.uk">www.maldon.gov.uk</a>	MSA Number:	100018588

### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 The application site is located within the grounds of the Park Drive Fitness and Squash Club on the north-eastern side of Park Drive. To the north-west and north-east is Promenade Park with a group of portacabins located immediately to the north-east of the site. To the east is the Council's recycling centre and associated accessway. Beyond the accessway is the Blackwater Leisure Centre. On the opposite side of Park Drive are residential properties.
- 3.1.2 The site lies within the Leisure Quarter as identified in the Maldon and Heybridge Central Area Masterplan. Although Promenade Park is not a nationally Registered Park and Garden, it is identified in the Local Development Plan (LDP) as a local Historic Park and Garden and is, therefore, a non-designated local heritage asset.
- 3.1.3 Planning permission is sought for an all-weather cover to the three, existing padel courts, a new show court and a building to accommodate an office / changing area.
- 3.1.4 The building proposed would measure 7.4m x 4.8m with a mono-pitched roof with a maximum height of 2.9m. The building would accommodate an office/reception, two changing rooms, two toilets and a store. The external walls of the building would be finished in cedar cladding.
- 3.1.5 The new court would be open air, measure 20m x 10m and be located around 11m to the south-east of the three existing courts. The fencing/means of enclosure around the court would be up to 4m in height and consist of a mixture of glass panels and green coloured mesh fencing which would match the existing courts. The court would be illuminated by lights mounted on four columns, 6m in height (the same as the existing courts).
- 3.1.6 The all-weather cover would measure 22m x 33m and would be attached to posts 6.3m in height. The roof itself would be a maximum of 3.7m in height (a maximum of 10m from ground level). The roof would be curved in shape with 'gabled' ends. A specification for the cover has been provided. The roof would be finished in heavy duty PVC coated fabric membrane, off-white in colour.
- 3.1.7 It is stated that the parking provision on site would remain unchanged and is stated as being 80no. parking spaces, 2no. light goods vehicles/public carrier vehicles parking spaces, 6no. motorcycle spaces and 6no. cycle spaces. These spaces are shared with the adjacent leisure centre.
- 3.1.8 The number of people employed would remain unchanged at five full-time employees. The hours of use are proposed as 08:00 to 22:00 every day.
- 3.1.9 The application is supported by a lighting report and a Design and Access Statement. In support of the proposal, the applicant's agent explains that Go-Padel has been at Park Drive since August 2018 and that they have the largest Padel junior academy in the UK with over 60 under 16s at the club. Weekly lessons to pupils at Plume School are provided along with free lessons for Plume School teachers. The court cover proposed would allow the courts to be used 365 days a year without being weather dependent. Furthermore, it is understood that the Lawn Tennis association could then issue the club with the highest level of national tournaments possible and the improvements would also allow the club to offer access for disabled padel. The applicant's agent also states that the current booking office is 'tucked away' to the rear of the existing swimming pool area and that the new building would provide the

players an area to change, a small office for the admin work and a small area as a 'welfare club' where the club can '*offer positive 'off court' learning and training to players and staff*'. The height of the cover has been determined by the need for headroom for the lighting poles and to allow the sport to be played correctly.

### **3.2 Conclusion**

- 3.2.1 It is not considered that the proposal would cause harm to the character or appearance of the area sufficient to warrant a refusal of planning permission and would not cause material harm to local residents, subject to the imposition of conditions. No concerns are raised in relation to off-street parking provision.

## **4. MAIN RELEVANT POLICIES**

Members' attention is drawn to the list of background papers attached to the agenda.

### **4.1 National Planning Policy Framework 2019 including paragraphs:**

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places
- 184-192 Conserving and enhancing the historic environment

### **4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:**

- Policy S1 – Sustainable Development
- Policy S5 – The Maldon and Heybridge Central Area
- Policy S8 – Settlement Boundaries and the Countryside
- Policy D1 - Design Quality and the Built Environment
- Policy D2 – Climate Change and Environmental Impact of New Development
- Policy D3 – Conservation and Heritage Assets
- Policy D5 – Flood Risk and Coastal Management
- Policy E3 – Community Services and Facilities
- Policy N1 – Green Infrastructure Network
- Policy N3 – Open Space, Sport and Leisure
- Policy T1 – Sustainable transport
- Policy T2 – Accessibility

### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Car Parking Standards
- Maldon District Design Guide (MDDG) (2017)
- Maldon and Heybridge Central Area Masterplan

## **5. MAIN CONSIDERATIONS**

- 5.1 The main issues which require consideration as part of the determination of this application is the principle of the development, the impact of the development on the character and appearance of the area, any impact on the amenity of local residents and highway safety/access/parking issues.

### **5.2 Principle of Development**

- 5.2.1 Policy S1 refers to the NPPF's presumption in favour of sustainable development and makes specific reference to the local economy, housing growth, effective use of land, prioritising development on previously developed land, design, the environment, sustainable communities, the effects of climate change, avoiding flood risk areas, the historic environment, local infrastructure and services, character and appearance, and minimising need to travel.
- 5.2.2 Policy E3 aims to retain and enhance the provision of community services and facilities within the District, particularly where they are essential to the local community. 'Community services and facilities' include sporting facilities. The Policy goes on to state that encouragement will be given to proposals which will help to improve the provision of, and accessibility to, community services and facilities in a local area, including the relocation, co-location, modernization and expansion of existing services.
- 5.2.3 Policy S5 states the Central Area will '*continue to act as the focal point within the District for retail, commercial, industrial, community and tourism activities*'.
- 5.2.4 Policy N3 states that development must contribute towards improving the provision quality and/or accessibility of local and strategic open space, sports and associated community and leisure facilities.
- 5.2.5 The proposed development would be associated with and improve the facilities available at the existing padel courts, facilitating the expansion of the club. The site is located within the development boundary for Maldon and within the Leisure Quarter identified as part of the Maldon and Heybridge Masterplan. The proposal is, therefore, considered to be acceptable in principle.

### **5.3 Design and Impact on the Character of the Area**

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.
- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

*"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".*

*"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way*

*it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.*

- 5.3.3 This principle has been reflected to the approved LDP. The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-
- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
  - Height, size, scale, form, massing and proportion;
  - Landscape setting, townscape setting and skylines;
  - Layout, orientation, and density;
  - Historic environment particularly in relation to designated and non-designated heritage assets;
  - Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
  - Energy and resource efficiency.
- 5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.3.5 Policy D3 of the approved Maldon District Local Development Plan (MDLDP) states that development proposals that affect heritage assets must preserve or enhance its special character, appearance, setting and any features and fabric of architectural or historic interest. Where a proposed development would cause less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.3.6 The proposed building would be limited in size and height and would be located adjacent to the existing buildings at the fitness club. The external materials proposed would also be in-keeping with the building's location. On this basis, it is considered that this element of the proposal would not cause harm to the character and appearance of the site or the surrounding area.
- 5.3.7 The proposed additional padel court would be more visible from the site's surroundings than the existing courts given its more central position within the site. However, the court would be seen against the backdrop of the existing courts and neighbouring development and the site does benefit from vegetative screening along its boundaries. The court would also be set back a considerable distance (of over 100m) from Park Drive. Therefore, it is considered that this element of the proposal would not harm the character or appearance of the site or its surroundings.
- 5.3.8 The proposed cover for the three existing padel courts would be a substantial structure both in terms of the ground area covered and height. The height would be greater than the existing buildings within the fitness club site and those on adjacent land. However, the structure would have a light weight roof and would be open sided on all sides. The structure would also be positioned a significant distance from Park Drive (over 100m), within an existing group of buildings and the existing, substantial boundary hedging and other existing vegetation within the vicinity of the site would reduce the visual prominence of the development. It is noted that the height of the structure is required to enable the courts to continue to be beneficially used. Based on this, it is considered that the visual impact of this element of the proposal would not cause harm to the character and appearance of the area to such an extent that a refusal of planning permission would be justified particularly when weighed against the social and economic benefits of the scheme.

## **5.4 Impact on Residential Amenity**

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 There are no existing residential properties within the immediate vicinity of the proposed development but there are residential properties on the opposite side of Park Drive which face the entrance to the sports club. However, given the nature, scale and position of the proposal and as it would form part of an existing sporting facility, it is not considered that the development proposed would materially harm the amenity of any existing residents, subject to the imposition of a condition limiting the hours of use to those previously permitted (i.e. between 08:00 hours and 22:00 hours on Mondays to Fridays and between 08:00 hours and 20:00 hours on Saturdays, Sundays and Public Holidays but which is less than has been applied for), as recommended by the Specialist – Environmental Health.

## **5.5 Access, Parking and Highway Safety**

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.5.3 The adopted parking standard for sporting facilities is a maximum of 1 space per 22sq.m. of floorspace. The proposed additional court would result in the loss of an area of the site currently used for parking and the building would accommodate additional floorspace. However, the remaining area within the application site currently used for parking would be retained and would be sufficient to accommodate a level of parking which would comply with the adopted standard. Furthermore, the additional floorspace would be limited (less than 35sq.m.). Therefore, it is considered that the proposal does not conflict with the adopted parking standards. In addition, as a result of the nature and scale of the development, the proposal would not result in a material change to the use of the existing vehicular access to the site from Park Drive and, therefore, would not raise any highway safety concerns.

## **6. ANY RELEVANT SITE HISTORY**

- **18/00502/FUL** - Proposed 3No. padel courts with new glass & fencing panels built over existing tennis court - Approved 04.07.2018
- **10/01014/FUL** - Proposed new link passageway and new side window – Approved 09.03.2011
- **06/00062/FUL** - Proposed Retractable Telescopic Swimming Pool Enclosure. – Approved 06.03.2006

- **98/00594/FUL** - Proposed tarmac tennis court with floodlights to match existing - Approved 08.10.1998

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Support.	Noted.

### 7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Cadent Gas	Do not object in principle – an informative is recommended.	Noted - none of the apparatus identified is located within the application site. An informative is recommended below.

### 7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Specialist – Environmental Health	No objections subject to conditions to limit the hours of use to those already permitted and requiring details of the means of foul drainage.	Noted – refer to section 5.4 of report. Foul drainage would be to the mains sewer and, therefore, a condition requiring details is not necessary.
Specialist – Conservation and Heritage	No comments to make.	Noted.

### 7.4 Representations received from Interested Parties

- 7.4.1 **8** letters were received **in support** of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
The courts and Club are very popular. Proposals will enhance the Club and allow them to go further into the community.	Noted
The site is ideally located in an area of the town already associated with outdoor activities and sports	Noted
Playing this sport is beneficial for their mental health.	Noted



## 8. **PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
  
2285-01 rev.B  
2285-02 rev.C  
2285-BP1 rev.A  
2285-06 rev.A  
2285-04  
2285-05  
2285-07 rev.A  
2285-03  
Lighting report  
Specifications for cover  
REASON To ensure that the development is carried out in accordance with the details as approved.
- 3 The materials used shall be as set out within the application form/plans hereby approved.  
REASON In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.
- 4 No form of external illumination shall be provided other than in accordance with the details hereby approved (including the luminance and spread of light; and the design, position and specification of the light fittings). The external illumination shall be retained in accordance with the approved details.  
REASON In order to protect the amenity of the local residents and the character and appearance of the area, in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 5 The existing and additional court hereby permitted shall only be used between 08:00 hours and 22:00 hours on Mondays to Fridays and between 08:00 hours and 20:00 hours on Saturdays, Sundays and Public Holidays.  
REASON For the avoidance of doubt and in order to protect the amenity of local residents, in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

## **INFORMATIVES**

1. Please note there is an intermediate pressure gas pipeline at the entrance to the site. The developer should consult Cadent gas Plant Protection team ([plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)) before any works crossing the pipeline are carried-out.