

## PLANNING STATEMENT

Construction of 2no. padel courts and associated works at  
Elkstone Studios, Elkstone, Cheltenham, GL53 9PQ

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## 1. INTRODUCTION

- 1.1 The following Statement has been prepared by Brodie Planning Associates Ltd (the agent) on behalf of Padel Shift Ltd (the applicant) to accompany the submission of a full planning application which seeks the construction of 2no. padel courts and associated works at Elkstone Studios, Elkstone, GL53 9PQ (the site).
- 1.2 This Statement is intended to assist Cotswold District Council in its determination of the application. It considers the application site and its context, identifies relevant planning history, and discusses the development proposals in great detail. The Statement goes on to consider the planning policy framework applicable to the application and provides an assessment of the main planning issues.
- 1.3 The proposals have been informed by a range of technical and environmental consultants, and so their reports, in addition to the submitted plans, should be read in conjunction with this Statement. These include:

Title	Drg.no / Ref
Site Location Plan	2024-01 -100
Proposed Site Plan	2024-01 -150
Proposed Floorplans, Elevations Sections and Technical Details	2024-01 -200
Contextual Elevation	2024-01 -201
Ecology Appraisal	Swift Ecology

### The Site and Surrounding Area

- 1.4 The application site is located at Elkstone Studios which forms part of Coombe End Farm set within the parish of Elkstone, Gloucestershire. The farm is located to the northeast of the A417 which is a main route linking Gloucester and Cheltenham to Cirencester and Swindon.
- 1.5 The farm comprises some 2,500 acres of farmland and historically included number of traditional farm buildings varying in size, scale and design, along with two larger modern agricultural structures. Like most estates, over recent years the farming operations have diversified, which has resulted in a number of different rural enterprises (namely Class E development) taking place within 'Elkstone Studios' and its employment of many people from local communities.
- 1.6 In terms of planning designations, the site lies within the Cotswolds Area of Outstanding Natural Beauty (AONB). The Environment Agency's (EA) Flood Map indicates that the site is in 'Flood Zone 1' and therefore, is at very low risk of flooding. There are no Public Rights of Way (PROW) within the site or in close proximity. Lastly, there are no designated heritage assets nearby.

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### Planning History

1.7 The relevant planning history for the site is detailed in the table below.

LPA Reference	Description of Development	Date of Decision	Status
18/ 04266/ FUL	The conversion of 2 rural buildings and replacement of 1 rural building to provide B1(a) Office Space and associated works	17/ 09/ 2019	Approved
20/ 04444/ OPANOT	Notification under Schedule 2, Part 3 Class R of the GPDO for change of use of an agricultural building (Barn D) to a flexible commercial use	16/ 02/ 2021	Prior Approval Not Required
21/ 00543/ FUL	Change of use of an agricultural worker's dwelling to a cafe and farm shop (Class E)	09/ 07/ 2021	Approved
21/ 00803/ FUL	Application for operational development to facilitate the use of building (Barn D) to a flexible commercial use (Class E) following prior approval 20/04444/OPANOT	13/ 08/ 2021	Approved
21/ 04442/ OPANOT	Notification under Schedule 2, Part 3 Class R of the GPDO for change of use of an agricultural building (Barn E) to a flexible commercial use	10/ 01/ 2022	Prior Approval Not Required
21/ 04694/ FUL	Application for operational development to facilitate the use of a building (Barn E) to a flexible commercial use (Class E) following prior approval 21/04442/OPANOT	15/ 02/ 2022	Approved
22/ 01665/ FUL	Change of use of an agricultural building (Barn F) to a flexible commercial use (Class E) and associated works	20/ 06/ 2022	Approved

### The Proposed Development

1.8 This application proposes the provision of 2 no. padel courts located within the eastern corner of Elkstone Studios. This area presently has permission for car parking in association with the 'Barn F' conversion for a flexible commercial use (see application reference: 22/ 01665/ FUL). However, a parallel planning application has been submitted to vary the approved plans, as an alternative layout can be achieved without resulting in the loss of any parking spaces.

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- 1.9 The padel courts will be built upon a porous concrete base, each measuring 20-metres (length) by 10 -metres (width). The courts will be surrounded by an electro-welded wire mesh fencing flush with tempered glass, set within a galvanised steel column frame. The court surround will have a maximum height of 4-metres at its north and south ends, reducing to a height of 3-metres along the sides. The finish to the courts surface will be artificial grass and green in colour. Flood lighting is proposed in the form of pole mounted LED lights, four per court. Further technical details are shown on drg no. 2024-01 -200.
- 1.10 For clarification purposes, padel is typically played in doubles on an enclosed court roughly 25% smaller than the size of a tennis court. Scoring is the same as normal tennis and the balls used are similar, but with a little less pressure. The main differences are that the court has transparent walls, and the balls can be played off them in a similar way to squash.
- 1.11 The decision to investigate the provision of padel at Elkstone Studios has been born out of evidence throughout the country that padel is the fastest growing racket sport in the world, with a number of clubs now established across the country. However, at the time of writing, there are no other clubs in the Cotswold District that offer padel. As such, this development seeks to accommodate a strong demand in the locality while also introducing new members to the sport.
- 1.12 The padel courts will be available for use by all members of the local community on a 'pay and play' basis at affordable prices, and free playing slots and coaching sessions will be provided to users of the 'Sport in Mind' charity. Discounted membership will also be available to the tenants of Elkstone Studios, which will give additional benefits of reduced court booking fees and court booking priority. Digital management software will be used to provide on-line court bookings, court and membership payments.

2. **PLANNING POLICY CONTEXT**

2.1 The determination of a planning application is to be made pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with Section 70(2) of the Town and Country Planning Act 1990.

2.2 6.2 Section 38(6) requires a determining body to determine planning applications in accordance with the development plan, unless there are material circumstances which ‘indicate otherwise’. Section 70(2) provides that in determining applications the determining body ‘shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations.’

**The Development Plan**

2.3 The application site is located within the administrative area of Cotswold District Council, wherein the Cotswold District Local Plan 2011 – 2031 is the overarching development plan. The key policies relating to this application are considered to be:

2.4 **Policy EC1** (employment development) seeks to support development where, inter alia, it; maintains and enhances the vitality of the rural economy; supports and improves the vitality and viability of local centres; and supports sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors.

2.5 **Policy EC3** (proposals for all types of employment-generating uses) is supportive of small-scale employment development outside of development boundaries provided they are appropriate to the rural area; and a) do not entail residential use as anything other than ancillary to the business; and b) are justified by a business case, demonstrating that the business is viable; or c) facilitate the retention or growth of a local employment opportunity.

2.6 **Policy EC5** (rural diversification) states that development that relates to the diversification of an existing farm or other land based rural business will be permitted providing that the proposal would not conflict with or prejudice the continued viable operation of the existing use; the scale of the development would support the continued operation of the existing use; and existing buildings are reused wherever possible. A whole farm business plan can be requested if deemed appropriate and necessary.

2.7 **Policy EN2** (design of the built and natural environment) states that development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.

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- 2.8 **Policy EN5** (AONB) states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
- 2.9 **Policy EN8** (biodiversity and geodiversity) states that development will be permitted where it conserves and enhances biodiversity and geodiversity, providing net gains where possible. Proposals which result in significant habitat fragmentation and loss of ecological connectivity will not be supported.
- 2.10 **Policy INF2** (social and community infrastructure) is supportive of proposals for community facilities, where these are; appropriately located, accessible, locally required, and economically viable.
- 2.11 **Policy INF4** (highway safety) specifies criteria that development should meet, including the development is well integrated, creates safe and secure layouts minimising conflict and incorporating design for low speed, avoid locations where the cumulative impact of congestion or other undesirable impact on the transport is likely to remain severe, has regard to the Manual for Gloucestershire Streets.
- 2.12 **Policy INF5** (parking provision) requires parking provision to be in accordance with standards and guidance set out in Appendix F of the Local Plan. Appendix F sets out standards for the provision of car parking spaces according to floor area of specific uses.

### The National Planning Policy Framework (NPPF)

- 2.13 The revised NPPF came into effect in February 2019. It sets out the Government's policies on many different aspects of planning and requires local authorities to take its content into account when preparing their development plans. It is a material consideration when making decisions on planning applications or appeals. The key text in relation to the development proposals is considered below.
- 2.14 **Paragraph 8** sets out the overarching objectives of sustainable development which are mutually interdependent and supportive. These objectives are identified as economic, social and environmental.
- 2.15 **Paragraph 9** states decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 2.16 **Paragraph 12** confirms that the NPPF does not change the statutory status of the development plan as the starting point for decision making. It confirms that development which accords with an up-to-date Local Plan should be approved without delay, and

proposed development that conflicts should be refused unless material considerations indicate otherwise (such as in circumstances when the ‘tilted balance’ under Paragraph 11d is engaged).

- 2.17 **Paragraph 38** directs local planning authorities to approach decisions on proposed development in a positive and creative way. It adds that decision-makers at every level should seek to approve applications for sustainable development where possible.
- 2.18 **Paragraph 81** states that planning policies should set out a clear economic vision and strategy which positively and proactively encourage sustainable economic growth and be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices and to enable a rapid response to changes in economic circumstances.
- 2.19 **Paragraph 83** states that planning policies and decisions should recognise and address the specific locational requirements of different sectors.
- 2.20 **Paragraph 84** states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas both through the conversion of existing buildings and well-designed new buildings. Decisions should also enable the development and diversification of agricultural and other land-based rural businesses and enable sustainable rural tourism and leisure developments which respect the character of the countryside.
- 2.21 **Paragraph 85** states that decisions should recognise that sites to meet business needs in rural areas may have to be found beyond existing settlements and in locations that are not well-served by public transport. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 2.22 **Paragraph 93** outlines the need for planning decisions to ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 2.23 **Paragraph 98** states that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.
- 2.24 **Paragraph 111** 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.
- 2.25 **Paragraph 126** 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



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of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 2.26 **Paragraph 130** advises, among other things, that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 2.27 **Paragraph 176** states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and AONBs, which have the highest status of protection in relation to these issues.

3. PLANNING ASSESSMENT

3.1 This section provides an analysis of the proposal against the development plan and those matters which are material to the determination of the planning application, at both a national and local level.

Principle of Development

3.2 The key Local Plan policy applicable to the proposed development is Policy INF2, which encourages development proposals to support the needs of the community. Accordingly, support is given for new facilities where the proposal is economically viable and there is a demonstrable local need for it. The development should also be well-linked and accessible to the local community. In addition, Policy EC1 supports proposals which maintain and enhance the vitality of the rural economy, while Policy EC5 permits the diversification of existing farms.

3.3 In considering this proposal, it is necessary to have regard to guidance contained in the NPPF which is a significant material consideration. Section 2 of the framework states that a key part to achieving sustainable development is a social objective, which supports communities' health, social and cultural well-being. Section 8 of the NPPF promotes healthy and safe communities with development which would 'enable and support healthy lifestyles ... for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.' Paragraph 96 specifically states that 'Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change.'

3.4 Firstly, in regard to current demand, The Lawn Tennis Association (LTA) announced in 2019 that it will integrate British Padel into the organisation's day-to-day operations, taking over the running of the sport in the UK and investing in its growth. At the end of 2020, it was recognised by Sport UK as an official sport which is expected to give an added boost to its growth. As of November 2020, there were around 6,000 active padel players across the UK, with 82 padel courts in Britain at 45 clubs – a number that is set to grow substantially over the coming years. The LTA is aiming to have 400 padel courts across the UK by 2023. In view of the above, the applicant, Padel Shift Ltd, seeks to deliver the first padel club within the Cotswold District. This development will provide an exciting new community facility within an area where there is growing demand and a strategic need for such provision.

3.5 Turning to community benefits, Sport in Mind, the UK's leading mental health charity, have written in support of the development proposals (see [Appendix A](#)). They are seeking to work

in partnership with the applicant and the NHS to deliver innovative sport and physical activity programmes to improve the lives of people experiencing mental health problems, aid recovery, improve physical health and wellbeing, combat social isolation and empower people to move their lives forward in a positive direction. Padel is the perfect sport as it is hugely accessible, simple to learn and easy to play, meaning that people with limited or no experience can pick the game up in minutes. On account of this collaboration, the applicant will be providing free playing slots and coaching sessions to Sport in Mind for those charity users who are interested in developing their padel skills and improving their mental health.

- 3.6 Lastly, with respect to location, the site at Elkstone Studios is well-linked and accessible. There are on-site food, drink and toilet facilities, and a public house less than 500-metres away. There is also a bus stop located adjacent to the site access, which provides travel to Gloucester, Cirencester and Tetbury. On-site car parking is also provided, along with EV charge points and secure cycle storage.
- 3.7 Overall, the proposals comply with Local Plan Policies INF2, EC1 and EC5, and Sections 2 and 8 of the NPPF. Thus, the principle of a new community facility in this location should be considered acceptable.

### Landscape and Visual Impact

- 3.8 The site is located within the Cotswolds AONB. Section 85 of the Countryside and Rights of Way Act (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.
- 3.9 At a local level, Policy EN4 states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) and that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. While Policy EN5 relates specifically to the Cotswolds AONB, and states that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight. Paragraphs 174 and 176 of the NPPF align with these local policies.
- 3.10 In order to contribute to the character of the Cotswold landscape, considerable thought has been given to design and layout of the proposed development. The padel courts will be located within the existing Elkstone Studios complex and adjacent to the eastern boundary of the site, which already benefits from a 2.5-metre-high landscaping bund. Thus, the padel courts will be seen within the context of the existing commercial enterprise and will not result in any encroachment of urban built form into the open countryside which lies beyond. Furthermore, as demonstrated by drg no. 2024-01-201, additional trees are proposed on the

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bund to provide added height to the boundary, which will further screen the development from surrounding AONB land and limit any associated light pollution. Should the Council require further planting to be incorporated, or specific details of the planting to be used, it is respectfully suggested that this is secured through a suitable landscaping condition.

- 3.11 In relation to external lighting, the development proposes the installation of 8no. 6-metre high masts with modern LED technology, fitted with front and rear deflector plates. This type of lighting has been chosen as it emits lower illuminance and allows for better control of glare and light spill. Furthermore, the light fittings will be facing downwards towards the court surface at a tilt angle of 12 degrees, so they do not aim or point directly at the adjacent office buildings or surrounding land. In addition, a warm white spectrum (less than 4000 Kelvins) will be utilised to reduce blue light. As such, the light spill from the proposed development would be sufficiently contained in order to safeguard the tranquillity of the surrounding countryside.
- 3.12 Please note that the external lighting is an essential element as it will allow the courts to be used in winter months and in poor light, while aiding safety and security. The proposed hours of use will be between 16:00 and 21:00 daily and this restriction can be controlled by an appropriate planning condition, if necessary.
- 3.13 In the context of the site and its surroundings the proposals are considered not to represent an incongruous or obtrusive form of development and therefore will preserve the special qualities of the AONB. In addition, the padel courts will benefit the local community which weighs in favour of the development. The development accords with Local Plan Policies EN4 and EN5 and guidance set out within Section 15 of the NPPF.

### Access and Highway Safety

- 3.14 Policy INF4 states that development will be permitted that provides safe and suitable access and has regard, where appropriate, to the Manual for Gloucester Streets (MfGS). Policy INF5 requires parking provision to be in accordance with standards and guidance set out in Appendix F of the development plan.
- 3.15 Paragraph 111 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.
- 3.16 Access to the padel courts be via a substantial gated and flared entrance to the northwest, which is currently utilised by the existing commercial buildings within the wider site. This access was the subject of a successful planning application (ref: 18/04266/FUL) where matters of highway safety were fully assessed and considered acceptable.

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- 3.17 In regard to parking, Elkstone Studios benefits from a large car park which has approximately 125 parking spaces. There is already an overprovision for the commercial use and so it is considered that there are sufficient car parking spaces on site to cater for the forecasted demand. Especially given the peak hours for the padel courts will be evenings and weekends, which is when the adjacent offices are not in use.
- 3.18 It is concluded that the development will not have a harmful impact on highway safety, nor will it generate parking requirements that cannot be accommodated. The proposals are therefore in accordance with Policies INF4 and INF5 of the Local Plan, and paragraph 111 of the NPPF.

### Ecology

- 3.19 Policy EN8 specifically relates to biodiversity and advises that developments will be permitted which conserves and enhances biodiversity, providing net gains where possible.
- 3.20 This application is accompanied by an ecology appraisal, carried out by Swift Ecology, which confirms that no protected species were recorded on the application site, and that the surrounding habitats are poor although woodland is present in close proximity. No further surveys are required, but a suitable lighting strategy is recommended to minimise any impacts to potential foraging bats.
- 3.21 By virtue of implementing the mitigation measures and the inclusion of a compliance condition on the decision notice, the proposals would not result in any harm to protected species. The development is considered to be acceptable in this respect and complies with Policy EN8.

### Neighbouring Amenity

- 3.22 Local Plan Policy EN2 refers to The Design Code which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regard to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.
- 3.23 Owing to the nature of the surrounding commercial uses and the fact there are no residential properties in close proximity to the site, there would be no undue impact upon neighbouring amenity. The proposal is therefore considered to accord with Policy EN2 and Section 12. of the NPPF.

### 4. CONCLUSION

- 4.1 This application seeks full planning permission for the construction of 2no. padel courts and associated works. This Statement has demonstrated that the sensitively designed padel courts will integrate well with the adjacent built form and provide a much-needed facility for local people within the Cotswold District. Thus, the principle of development clearly complies with Local Plan Policies INF2, EC1 and EC5, as well as the NPPF, which promotes 'healthy communities'.
- 4.2 This Statement and supporting documentation also demonstrated that the proposals would not cause any harm to the AONB or impact negatively upon the local highway network. Likewise, there would be no identified harm in relation to protected species or neighbouring amenity.
- 4.3 In light of the above, it is concluded that the granting of permission would accord with the development plan and there are no other material considerations that would indicate otherwise. The proposals should therefore be approved under delegated authority without delay, in accordance with paragraph 11(c) of the NPPF.

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### Appendix A - Letter of support from 'Sport in Mind'

## **A Community Focused Partnership**

Padel Shift, an operator and builder of padel tennis sites across the UK, is teaming up with [Sport in Mind](https://www.sportinmind.org), the UK's leading mental health sports charity, on an exciting community focused partnership.

Sport in Mind is a nationally acclaimed charity that works in partnership with the NHS to deliver innovative sport and physical activity programmes to improve the lives of people experiencing mental health problems, aid recovery, improve physical health and wellbeing, combat social isolation and empower people to move their lives forward in a positive direction.

Padel tennis is one of the most accessible sports available, which has contributed to its huge growth and rise in popularity in the UK. The sport is simple to learn and easy to play, and people with limited or no experience can pick the game up in minutes. Padel tennis is played with four people and incorporates a strong social element, bringing people together from all age groups, backgrounds and genders. There are at least two courts at all Padel Shift sites, along with seating areas which provides spectators the chance to engage with other padel players and build a real sense of community.

Sport in Mind's ground-breaking work with the NHS over the past decade has demonstrated the huge impact sport and physical activity can have on our national's mental, physical and social health, and Padel Shift are passionate about providing accessible opportunities for people to play padel tennis, socialise and improve their health.

Padel Shift is a company with a conscience, that wants to give back to a cause that holds their core belief that sport can transform lives for the better. As a result, they have formed an innovative partnership with Sport in Mind which will provide the charity's users free playing slots across all Padel Shift's courts in the UK each month, will donate coaching sessions to Sport in Mind for those who are interested in developing their padel skills and performance, and support the charity's overall mission through fundraising.

With Covid having had such a detrimental long-term impact on our nation's mental health, we are excited to partner with Padel Shift to support more people get active for their mental health.



Neil Harris  
Sport in Mind  
CEO





Planning ▪ Design ▪ Development

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