

PLANNING SUPPORTING STATEMENT

location	Moorgate Farm, Moor Lane, Netherthong, Holmfirth, HD9 3UP.
application	Erection of a Padel Court
client/applicant	Mr & Mrs N Rushworth
job number	25/1148
date	September 2025

Ltd
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Existing Site

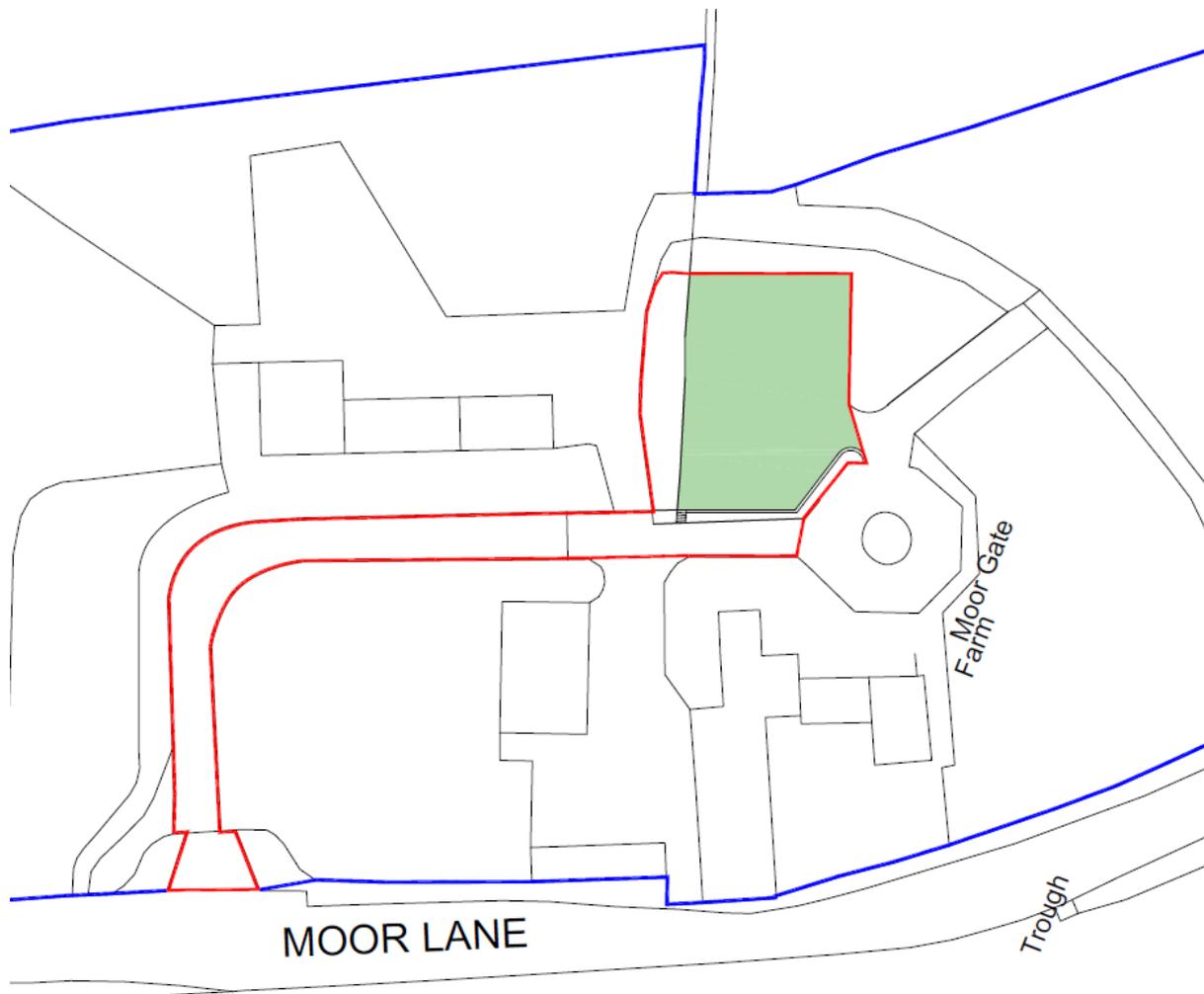
The existing site consists of the host dwelling, other associated outbuildings and a large domestic curtilage with adjoining agricultural land.

The host property, Moorgate Farm, is a detached dwelling built from stone with a pitched stone slated roof. The dwelling has sporadic and undulating masses with differing roof types and heights.

The property has had numerous previous planning applications for various additions and alterations with varying outcomes.

The application site is served by access off Moor Lane.

The applicants plan to construct an all weather padel court within the applicants' land that is within the domestic curtilage. The area of land in question which can be seen on the image below was granted a certificate of lawfulness in 2010 to be classed as domestic curtilage. The application in question can be seen at [2009/92205](#).



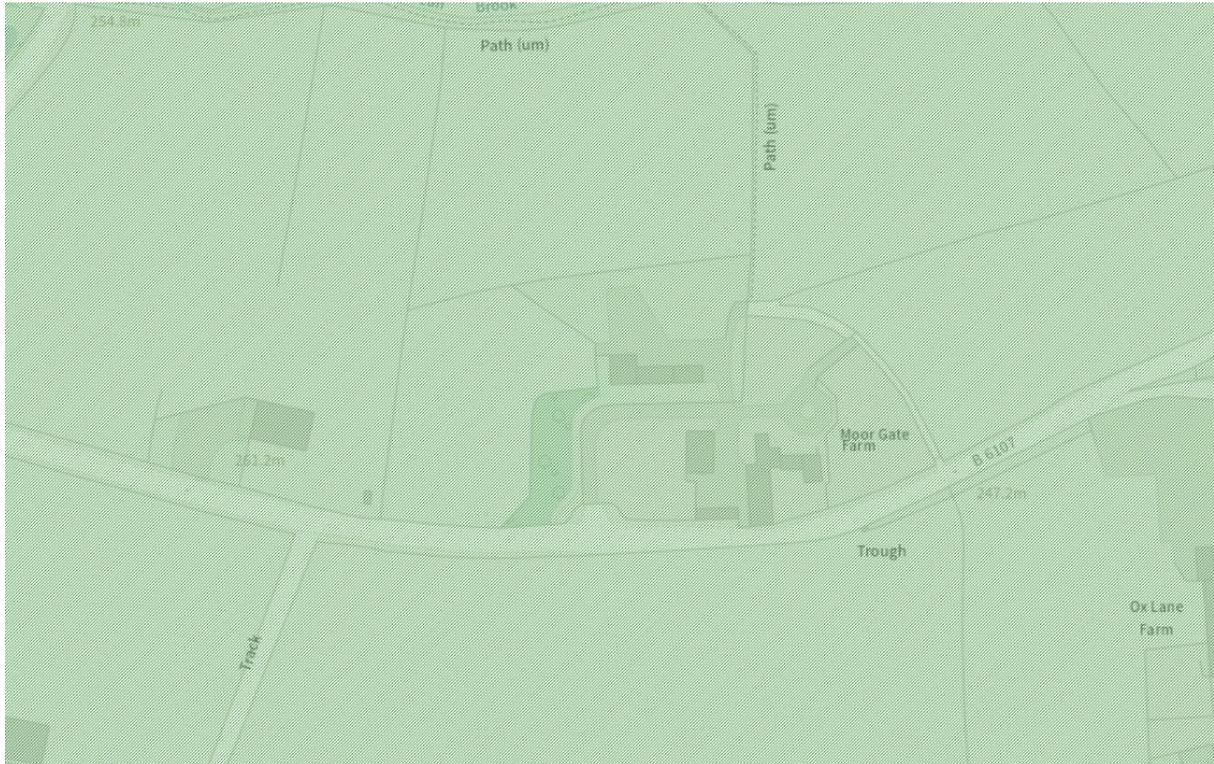
The area of domestic curtilage in question is currently a bare, cut grassed area with high levels of surrounding natural privacy screening. The area in question is not seen easily from the public highway or the adjacent public rights of way;



There are two (HOL/57/40 & HOL/57/30) public rights of way leading around the boundary of the property, however the view of the small, grassed area is well screened by large trees, fencing and vegetation.

The applicants wish for their own padel court (20m x 10m) to use for their own private leisure. This all-weather arena will provide a safe and convenient environment to train in all year round for a sport that has been growing exponentially in recent years.

The site falls within the Green Belt as seen below.



The application site;



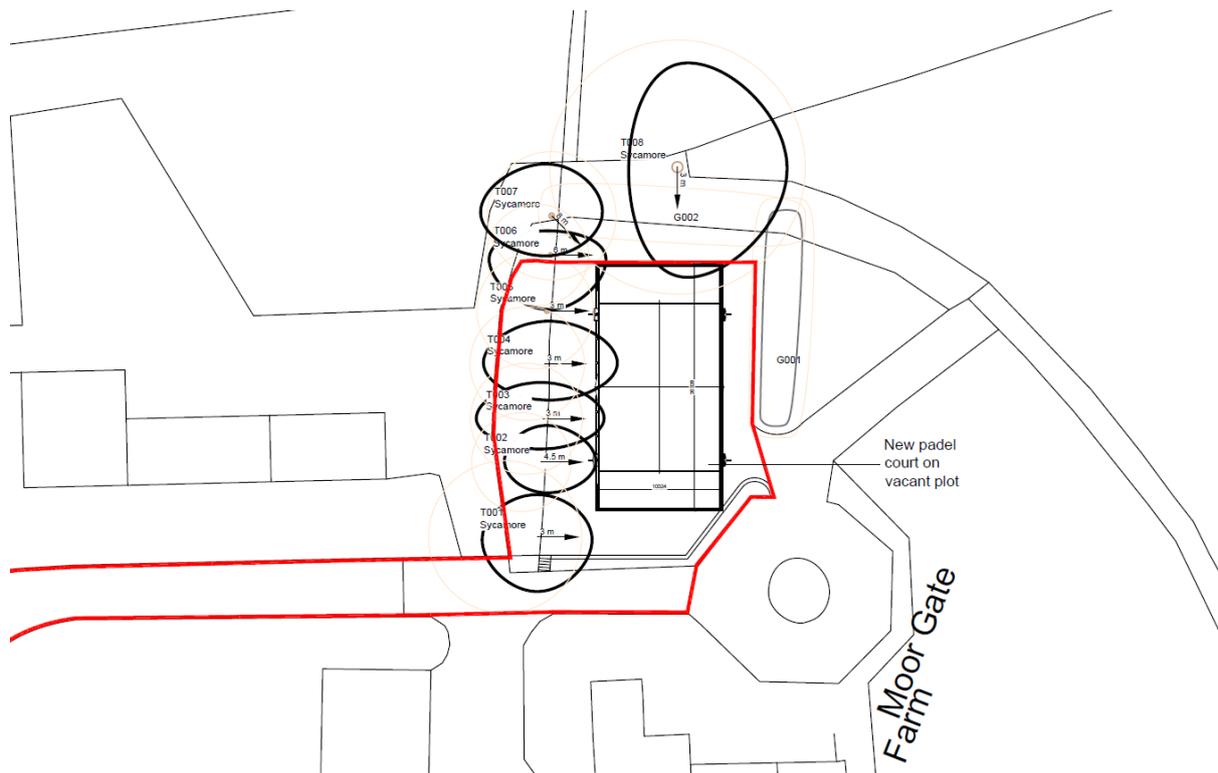
As noted above on the recent google earth aerial, ground works were carried out in 2024. We understand the now grassed area was formerly a surfaced area providing a parking and turning area. (historical google images also indicate this, all prior to the applicants owning the property).

Proposal of Development

The proposal is for a new all-weather padel court for use only in conjunction with the applicant's private enjoyment of the property/land.

The proposed arena will be constructed 150mm above the existing ground level meaning minimal groundworks will be carried out. It is intended mini piles will be formed to support a ring beam to support a beam and block structure (slightly above ground level). This ensures no impact on the root protection areas of the adjacent protected trees (refer to the accompanying arboriculturist report). The foundation design, by structural engineer, will follow a successful planning decision. Please note we have no objection to a pre-condition being imposed upon this aspect.

Root protection/padel court screenshot;



Assessment of the impact on the existing trees can be seen within the arboriculturist report submitted in conjunction with this application. It has been deemed that the proposals do not damage or impact the adjacent/surrounding trees. The screening to the side is to be circa 3.5m high and predominantly mesh with some glazed panels that continue round the corners from each end. Details of this can be seen within the drawing package of the application.

Lighting to the padel court has been considered but omitted from the scheme given the potential impact on ecology.

The entrance/exit areas of the screening are located at the mid-point of the court on either side with the access point to the east of the court adjoining an existing access point to the area.

The existing shape, flat topography and surrounding natural screening allows the padel court to be constructed without requirement of disruption to any existing boundary treatments and ensuring minimal groundworks.

The retention of the adjacent trees, shrubbery and fencing ensures the visual impact of the proposal is kept to a minimum.

Impact on Residential Amenity

The dwelling has significant space separation from any neighbouring properties some 190m & 200m to the East, 205 Moor Lane & Ox Lane Farm, being the closest residential properties. We contend, given the established domestic curtilage, that the predicted noise levels of the proposals will be well below the threshold of statutory nuisance for the nearest other non-related residential properties.

For example, worst-case levels of padel noise at ~10m from an uncovered court have been measured in studies at 58–65 db. Given the much greater separation of this proposal from the nearest other properties, also considering the existing mitigation measures (Court screening & vegetation/trees/fencing), the level of impact will be undetectable under normal ambient conditions.

Precedents such as the Weybridge case (where estimated average levels were 23–43 dB) show that with distance and mitigation noise can be kept well under what is considered likely to cause disturbance. Similarly, Sport England guidance on acoustics for sports facilities emphasises the importance of design and mitigation, which this proposal follows.

Accordingly, it is contested that residential amenity will not be materially harmed, and that the proposal complies with Local Plan policies protecting amenity, and with the NPPF requirement that development (including outdoor recreation) must avoid unacceptable impacts.

The proposed padel court has been carefully designed to preserve and enhance residential amenity for both the occupiers and neighbouring properties. The court is intended for private, domestic use only by the residents and their guests, and will not operate as a commercial or club facility. Noise levels from padel are inherently lower than other sports, and the substantial separation from any neighbouring dwellings ensures that any sound generated will dissipate rapidly. The orientation of the court, together with natural screening and existing boundary treatments, further minimises any potential impact.

The court is located entirely within the established domestic curtilage and does not result in overlooking into neighbouring properties. Existing planting and boundary features enhance privacy for both the occupiers and surrounding homes. The structure is modest in scale with an open, design, incorporating mesh and glass walls that integrate with the garden setting. Landscaping further softens the appearance and ensures the rural character of the site is preserved. Importantly, the development does not encroach into the wider countryside, avoiding urbanisation of the Green Belt.

As a private facility, there will be no additional traffic generation or parking demand, avoiding amenity impacts often associated with public sports facilities. Indeed by providing on-site recreation, the proposal reduces the need for travel to alternative venues, supporting sustainable transport and environmental objectives.

The court also provides a safe, purpose-built space for physical activity within the home curtilage, supporting active lifestyles, mental health, and general wellbeing, thereby enhancing the overall quality of life for the occupiers. In summary, the proposal enhances residential amenity by improving opportunities for health, wellbeing, and recreation, while fully respecting the amenity of neighbouring properties and preserving the openness and character of the Green Belt. In these

ways, the padel court is consistent with Local Plan policies LP24, LP52, and LP50, as well as NPPF guidance, ensuring that the development maintains and enhances residential amenity.

Lighting

Lighting was considered at design stage but has been omitted given the potential impact on ecology.

The proposed padel court includes floodlighting to enable safe use during darker hours, particularly in winter months when daylight is limited. The lighting is designed to minimise impact on residential amenity and the surrounding environment. The proposed system will use low-glare, directional LED fixtures that focus light only onto the playing surface, reducing light spill and avoiding unnecessary illumination of neighbouring properties or the wider Green Belt.

The lighting columns are modest in height and carefully sited within the court design, ensuring they do not dominate the landscape or detract from the rural character of the site. The proposed lighting levels will comply with recognised guidance for sports facilities, limiting intensity to what is strictly required for safe play, while avoiding overspill into sensitive areas. Where appropriate, screening through shielding may be used to further control light spread.

Drainage

The proposed surface of the court is porous which will allow natural drainage all as existing.

Scale of Development

The scale of the development is partly governed by the standard size guidance of a padel court, as set out by Sport England (20mx10m). The proposed court fits well within the existing site area.

Layout & Highways

There will be no change to the layout or highways matters as the court will be used only for private use by the occupants of the property and their social network.

Planning Policy

The National Planning Policy Framework (NPPF) sets out within paragraph 154 that

“Development in the Green Belt is inappropriate unless one of the following exceptions applies:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; “

The padel court falls within the outdoor recreation definition and therefore is not deemed inappropriate development within the Green Belt.

We contest that the proposals do preserve the openness of the Green Belt due to the glazed and mesh screening in connection with the existing dense natural shielding of the vegetation. This policy that outdoor sport / recreation buildings are **explicitly recognised** as exceptions, so long as openness is preserved and the development does not conflict with Green Belt purposes.

Paragraphs 103 of the NPPF also 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. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision.”*

The proposed court meets the need of high-quality open spaces and opportunities for sport and physical activity. It is important for the health and well-being of communities, and that such provision can also deliver wider benefits for nature and climate. The proposed padel court directly aligns with this national objective by creating a new opportunity for physical activity within the domestic curtilage of the property. While modest in scale and private in orientation/location, the court will support the health and wellbeing of the occupiers, thereby contributing positively to the wider objectives of the NPPF. Importantly, the proposal achieves these benefits without placing demand on public facilities and does so in a manner that safeguards the openness and character of the Green Belt.

Kirklees Local Plan Policy LP50 States that:

“The council will seek to protect, enhance and support new and existing open spaces, outdoor and indoor sport and leisure facilities where appropriate, encouraging everyone in Kirklees to be as physically active as possible and promoting a healthier lifestyle for all.”

“The creation of new outdoor sport facilities will be supported which help address deficiencies in playing pitches identified in the Playing Pitch Strategy “

Policy LP50 of the Kirklees Local Plan highlights the importance of safeguarding and supporting new sport and recreation opportunities in order to encourage healthy lifestyles and increase participation in physical activity. It acknowledged that good quality outdoor and indoor sport and leisure facilities provide important opportunities for residents to improve their health and wellbeing, including within the Green Belt. The proposed padel court directly aligns with this policy by creating a new court that enables the occupiers to partake in regular physical activity on-site. Although modest in scale, it contributes positively to the wider objective of promoting active lifestyles, while doing so in a manner that safeguards residential amenity and preserves the character of the Green Belt.

These points are also reflected within Kirklees Local Plan Policy, LP56. This refers to appropriate facilities associated with outdoor recreation.

Such facilities will normally be acceptable, as long as the openness of the Green Belt is preserved and there is no conflict with the purposes of including land within it. This should ensure that;

a. The scale of the facility is no more than is reasonably required for the proper function of the enterprise or the use of land to which it is associated

The proposed scale of the padel court is determined by Sport England. The associated proposals are no more than reasonable required.

b. the facility is unobtrusively located and designed so as not to introduce a prominent urban element into a countryside location, including the impact of any new or improved access and car parking areas.

We contend the existing shrubbery, adjacent and surrounding trees and boundary fencing trees all positively contribute to ensure the proposals do not create “*a prominent urban element into a countryside location*”. There are no proposals/changes with regards to access or parking areas.

c. in the case of all-weather riding arenas or other facilities for the exercising of horses, the degree of engineering operation required and the resultant regrading of land, including any earth mounding and retaining structures, does not result in incongruous or discordant landform out of character with its setting that cannot be mitigated through the use of appropriate hard and soft landscape techniques.

The proposal is not a riding arena but the proposals have been similarly considered at design stage with a minimal groundworks/engineering operation approach and to ensure that the proposals do not create an “incongruous or discordant landform out of character with its setting that cannot be mitigated through the use of appropriate hard and soft landscape techniques”. We contend, given the existing shrubbery, trees and boundary fencing that no additional landscaping is required as a result of the proposals but would be more than willing to consider if deemed necessary.

The proposed padel court falls squarely within the “outdoor recreation” category, as it represents a small-scale, ancillary facility for outdoor recreation. Its siting within the domestic curtilage, combined with its modest scale and open design, ensures that the perception of openness is maintained. There is no encroachment into the wider countryside and no conflict with Green Belt purposes. We contend that the proposals and use will not negatively impact on the openness of the greenbelt setting.

Conservation

The application site is not a conservation area.

The property is a Grade II listed building. The listing description states;

SE 10 NW MOOR LANE 4/215 (Netherthong, Holmfirth)

Moorgate (Centre Cottage)

II

Cottage, centre of farm group. Early to mid C18 with early C19 first floor window (east elevation). Deeply coursed millstone grit. Quoins to rear. Stone slate roof. Two storeys. Entrance with deep lintel with Tudor arch. One 4-light double chamfered window enlarged downwards with new sill. Mullions removed and centre mullion replaced by square cut mullion. First floor: one 6-light stone mullioned window. Rear elevation: 2 small single lights, one is double chamfered. To first floor is one 3-light double chamfered stone mullioned window (mullions removed). Interior: later roof trusses.

Listing NGR: SE1294609440

<https://historicengland.org.uk/listing/the-list/list-entry/1134829?section=official-list-entry>

With regards to chapter 16 of the NPPF, which requires that proposals should avoid or minimise any conflict between the conservation of heritage assets and any aspect of the proposals. Paragraph 213 requires that clear and convincing justification if given for any harm.

The National Planning Policy Framework (NPPF, 2023) places great weight on the conservation of heritage assets but also recognises that sustainable development involves balancing heritage protection with opportunities for social and community well-being. Paragraph 210 requires local authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets while ensuring they remain in viable use.

Kirklees Local Plan policies also support this balanced approach. Policy LP35 (Historic Environment) requires proposals to preserve or enhance the significance of designated heritage assets. Specifically the siting of the padel court ensures that the special architectural and historic interest of the building and its grounds are preserved. Furthermore, Policy LP47 (Healthy, Active and Safe Lifestyles) supports the provision of facilities that encourage physical activity and community health.

The padel court aligns with this objective by introducing a sustainable leisure use that complements the existing site.

The proposed padel court is relatively remote from the dwelling, circa 24m from the main body of the original dwelling and set at a lower level. A private driveway, courtyard and turfed domestic curtilage provide separation.

Given the space separation, we contend that the proposed padel court will not result in harm to the listed building or its setting and will instead support its long-term use and enjoyment.

While design forms a major aspect of good planning, a padel court has little opportunity to involve design given the sport England and functional requirements. However the proposals have been very carefully considered to ensure a proposal that is sensitive to its historic and architectural significance. The court has been carefully located to avoid intrusion on key views of the property despite it being well secluded from most viewpoints. It's important to note the proposed Padel Court will not be seen from the highway nor the adjacent public footpaths. This ensures that the setting of the listed building is preserved. The design is modest, reversible, and employs materials and finishes that minimise visual impact within the historic landscape.

We contend the proposal provides a recreational benefit and enhances the long-term sustainable use of the property without causing harm to the special interest of the listed building or its wider setting. We consider that the development is consistent with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and aligns with national and local heritage policies that support sympathetic, low-impact additions which secure the ongoing enjoyment of heritage assets.

Public Rights of Way

The adjacent public rights of way are separated from the domestic curtilage of the property with hedges, shrubbery, dry stone walls and timber fences. These are all to remain as existing therefore we contend that the proposals have no negative impact on the adjacent PROWs.

Ecology

The Environment Act (2021) seeks to enhance biodiversity through several means, including the introduction of a mandatory requirement for new developments to achieve a minimum of 10% biodiversity net gain (subject to some limited exceptions).

The accompanying Biodiversity Net Gain (BNG) report and matrix indicates that, under the current development proposal, the scheme would result in a net loss of -0.04 habitat units.

To address this, the applicants will deliver compensatory on-site planting through the introduction of 5 new individual urban trees, in line with the recommendations of the BNG report. These trees will be planted in moderate condition and selected for their ecological value, contributing directly to the

replacement of medium distinctiveness habitats lost as part of the proposal. This ensures compliance with the DEFRA Statutory Biodiversity Metric.

The planting strategy will enhance site biodiversity, support local wildlife, and maintain habitat connectivity in accordance with Policy LP30 of the Kirklees Local Plan and national biodiversity objectives. The proposed tree planting will be managed in line with a long-term maintenance plan to secure the ecological value of the site for a minimum of 30 years, as required.

As such, the proposal is considered compliant with the Biodiversity Net Gain requirements, ensuring the development achieves not only no net loss, but a measurable and policy compliant enhancement to local biodiversity.

We contend the proposals have no negative impact on protected species and does therefore not require a PEA (Preliminary Ecological Assessment).

Flood Risk

The application site is located within flood zone 1 (Land within flood zone 1 has a low probability of flooding from rivers and the sea). Flooding does not pose an issue to this proposal.

The environment agency Flood report for this property/proposal accompanies this application.

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research.

National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Kirklees Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change.

Please note that the host property already benefits from an electric vehicle charging point.

Considering the site specific proposals and impact on climate change we contend that the proposed development has an acceptable impact on Climate Change, considering the requirements in relation to Building Regulations we also draw attention to the host property being a Listed Building.

The proposal relates to an existing domestic use of the site, the proposals are in conjunction with the continued function of the existing property. The proposal have minimal impact on climate change.

Conclusion

In line with the NPPF, Policy LP1 of the Kirklees Local Plan that declares “...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF,” and goes on further to state “The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

We contend the proposals will not have a detrimental impact on the adjacent listed building nor affect the openness of the green belt due to the size, location, design and established existing screening.

The proposals are within the accepted guidelines of development in the green belt (essential facilities for outdoor sport).

We feel the development is in-keeping with its surroundings and does not detract from the area and both elements are within the NPPF guidelines.

I would be grateful if you could contact Paul Matthews Architectural Ltd prior to drafting up your recommendation for determination.

APPENDIX A

Site Photos

