

DESIGN AND ACCESS STATEMENT

**Application for the construction of a hard surfaced tennis court
and surround fencing at Fosgate House, Upper Chute,
Andover, Wiltshire SP11 9EW.**

On behalf of Sophie and Nicholas Irby

February 2026

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Introduction

This Design and Access Statement provides information in support of an application for planning permission to allow the construction of a hard surfaced tennis court and surround fencing at Fosgate House, Upper Chute, Andover, Wiltshire SP11 9EW. This statement covers the relevant information with respect to the issues required in the National Planning Practice Guidance (PPG) which was most recently updated in February 2024.

The Proposal

It is proposed to construct a hard surfaced tennis court with surround fencing within the garden of Fosgate House which is a detached property situated within the village of Upper Chute in Wiltshire. The location of the proposed tennis court within the garden of Fosgate House is shown in the attached location plan (see Figure 1).

Development Area

The proposed hard standing for the tennis court will be 35 metres by 17 metres and will therefore cover an area of 595 sqm (see Figure 2).

Location Details

It is proposed that the tennis court should be located within an edge of garden area to the west of the house (see Figure 2). The distance between the main house and the tennis court location would be 42 metres. There would be a gap of around 10 metres between the west side of the court area and the adjacent boundary. The distance to the outbuilding on the north side would be 13 metres.

There is a footpath which passes through this part of the garden (Public Right of Way CHUT18) and runs to the south east of the proposed tennis court location. This area of the garden is already partially screened by boundary trees and hedgerows as well as soft landscaping within the garden. Further soft landscaping is proposed to fully screen the tennis court area as explained below.

Pre application advice

Following a request for pre application advice, Kate Clements, Planning Officer at Wiltshire Council, sent a response letter on 13th October 2025 (Ref. ENQ/2025/01217).

In the Council's pre-app response, Kate Clements confirms that the principle of the tennis court for the dwelling is acceptable and sets out areas to be addressed through any subsequent application. Ms Clements states:

"..The enquiry site is within the Upper Chute Conservation Area and the North Wessex Downs National Landscape. The proposal is within a mature garden, however the Public Right of Way, CHUT18 crosses to the south of the proposed tennis court and it would therefore be visible from the public vantage points. However, the footpath crosses through the site between the formal gardens/driveway and the stables, it is considered that this area of the footpath is already within domestic curtilage and as such it is not out of character to encounter facilities that are of incidental use.."

"..While the development would be visible from the nearby footpath, its modest scale and limited extent of visibility ensure that it would not result in significant harm to the character or scenic quality of the landscape - noting that the proposal is within a well-established residential curtilage. The proposal would not conflict with the duty under Section 85 of the CRow Act and is considered to conserve the landscape qualities of the National Landscape in accordance with Core Policy 51 of the Wiltshire Core Strategy, and paragraph 189 of the NPPF.."

"..The enquiry site lies to the north of Fosgate House due to the significant residential curtilage and subsequent distance from neighbouring dwellings, it is concluded that the proposed development would not materially impact upon the occupiers of the neighbouring properties as a consequence of overbearing impact, overshadowing or loss of privacy and accords with Core Policy 57 of the adopted WCS.."

The helpful response and the advice about the information required to support a planning application, has been followed in this statement and the attached drawings.

Proposed Tennis Court Design

The boundary of the playing area will be enclosed by fencing which will be 2.75 metres high at either end and along the west side but dropping down to a minimal height of 0.9 metres along the east side (see Figure 3).

The tennis court will have a 175mm limestone base with a further porous layer of macadam and green synthetic grass surface. The green coloured surface will include the court lines marked in white (see Figure 4). The porous surface will allow the court to drain quickly to avoid any surface water problems.

The fencing will be based on a high specification post and chain link system with all steel work galvanised and painted black. The use of black will help to ensure that the limited areas of open mesh fencing around the court are inconspicuous against the backdrop of shadow provided by the soft landscaping surrounding the court. The design of the proposed fencing therefore accords with the pre app discussions with the Planning Officer.

Earthworks

The proposed tennis court area currently slopes from north to south with a modest fall of around 1.5 metres across the entire 35 metre length of the court area. For this reason, it is proposed that there should be a standard cut and fill arrangement to create a level site.

The surface of the court will be constructed using a stone base topped by porous macadam and a synthetic grass surface as shown in the attached Figure 5.

Environmental Impact/Landscaping

In terms of screening, the court surface will blend well with the adjacent grassed area in this part of the garden and will be screened by the bank of trees to the west of the court area as well as hedges and trees within the garden (see Figures 6 photos). These hedges will be supplemented by extensive additional planting as explained below. The existing and proposed soft landscaping will ensure no visual impact on the setting of the house or wider landscape. The sensitively designed court will have no impact on the local setting or longer distance views.

Proposed New Planting

It is proposed that a new native species hedgerow should be planted along the north, east and south sides of the tennis court area as shown in Figure 7. This new soft landscaping would help to ensure that the tennis court blends in with the surroundings. It is proposed that the extra hedgerow should be planted in the first planting season following the commencement of the court development.

Biodiversity Net Gain

The lawned area in this part of the grounds is cut on a regular basis and kept short throughout the year. The proposed tennis court site does not therefore have any value in terms of providing a wildlife habitat. There are no trees within the tennis court location and the court would be well away from the root protection area of the nearest trees.

There is no statutory requirement for householder applications, as defined within article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, to provide a BNG assessment. Even without a formal BNG assessment, it is clear that the introduction of the proposed new native species hedgerow, along the north, east and south sides of the tennis court area, will help to ensure that the development will deliver a significant biodiversity benefit.

Need for an Ecological Impact Assessment

The court location is 10 metres from garden boundary along the west side and is set well away from the mature trees beyond the curtilage boundary. The court design does not include floodlighting and the open mesh fencing would be a maximum of 2.75m high (and drop down to only 0.9 metres along the east side). It would also be screened by newly planted hedgerow.

Given the garden location and sensitive tennis court design, there is no basis on which this proposed development could be considered to have any potential adverse impact on roosting, foraging or commuting bats (or birds). A full Ecological Impact survey and assessment would therefore be unnecessary in this case.

Great Crested Newts Method Statement

There is a pond around 300m to the south east of the application site where there is a confirmed record of great crested newts (GCN). GCN can travel up to 500 metres away from ponds and spend most of their lifecycle on land, returning to ponds to breed.

The fact that the development site is close cut lawn and 300 metres away from the nearest pond reduces the likelihood of the tennis court having any adverse impact on GCN. In order to ensure that there is no potential adverse impact on GCN during the construction phase, a GCN Method Statement has been provided (see attached Figure 8). The applicant is happy to comply with the requirements of the GCN Method Statement.

Flood Risk Assessment

A review of the Government's flood mapping shows that no part of the proposed tennis court site would be within an area at risk of flooding. Fully porous materials will be used in the construction of the court surface (as shown in Figure 5). The porous surface will allow the court to drain quickly to avoid any surface water problems. On this basis, a Flood Risk Assessment is not required.

Policy Framework

The planning policy framework that provides the basis for determining this application is set out in a variety of local and national planning documents. At the national level, the main reference is the Government's National Planning Policy Framework (NPPF). The NPPF was first published in 2012 when it realigned the framework against which planning applications are determined by introducing a general presumption in favour of sustainable development.

The more recent revised versions of the NPPF (up to December 2024) reaffirm the presumption in favour of sustainable development.

In the latest version of the NPPF (December 2024) Paragraph 10 states "So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)."

In looking at the detail of the Framework, there are a number of statements within the document which are of direct relevance to the determination of this application:

(i) Paragraph 96 emphasises the importance of the planning system promoting healthy communities and includes reference to the benefits of sports facilities. The proposed development of a new tennis court would provide a sports facility which would help to enhance the health and well being of the users.

(ii) Paragraph 103 also refers to the need to provide opportunities for sport and physical activity. The proposed development would provide a sports facility and thus accord with this policy objective.

(iii) Paragraph 131 sets out the need for high quality and appropriate design that is sympathetic to the surrounding built environment and landscape setting. The proposed development would incorporate high quality design that would minimise any visual impact and help the tennis court blend in with the surroundings.

(iv) Paragraph 164 explains how new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design. One of the benefits that the tennis court would bring would be to reduce the need for the applicant's family to travel away from the property in order to be able to play tennis. This reduction in car travel would help to reduce CO2 emissions.

Local Policies

The National Planning Policy Framework states that *"local policies should be **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework "* (see paragraph 36). In this case, the key document is the Wiltshire Core Strategy which was adopted in January 2015. The most relevant policies which apply to this application are:

Core Policy 50 – Biodiversity

Core Policy 51 – Landscape

Core Policy 57 - Ensuring high quality design and place shaping

Core Policy 58 - Ensuring the Conservation of the Historic Environment

It is considered that the proposed tennis court complies with all the above policies. In terms of the biodiversity (CP50), the proposed court would involve a net benefit in habitat through the provision of a new native species hedgerow along the north, east and south sides of the tennis court area (as shown in Figure 7). The siting, scale, design and materials of the development are all considered to be sensitive to the character of the area. The court would not have an adverse impact on the character or appearance of the local setting or wider landscape (CP51).

Turning to CP57, there has been careful attention to the siting and design of the court with the proposals including green coloured synthetic grass surfacing and reduced height open mesh fencing. The sensitive design of the tennis court together with the existing and proposed soft landscaping would result in the tennis court being very inconspicuous (which would also comply with the requirements of CP58).

In summary therefore, the proposed tennis court complies with the requirements of the national and local policy framework.

Principle of domestic tennis courts in the countryside

In the period since the Government introduced the NPPF there is very significant evidence to show that domestic tennis courts are an accepted form of development in the countryside. Examples of tennis courts which have been allowed in similar circumstances are provided in Figure 9.

Conclusions

This statement has shown that the proposed tennis court would be located within the garden of Fosgate House in a lawned area that already benefits from the backdrop provided by boundary trees and hedges and which will be further screened by the proposed hedge planting. The dark open mesh fencing and posts and green synthetic grass surfacing will be unobtrusive against the backdrop of the surrounding soft landscaping. The sensitive design and location will ensure that the court area is inconspicuous and that there is no material adverse impact on the local setting or the wider landscape.

The national and local planning policy framework provides support for recreational and sporting development in countryside areas as long as the development is designed sensitively and does not harm the local setting or character of the wider landscape. Recent precedent since the introduction of the NPPF confirms that a tennis court and surround fencing is an acceptable form of development within the countryside. The Government's revised National Planning Policy Framework emphasises that there should be a presumption in favour of sustainable development.

It is clear that the proposed development will bring benefits and have no material adverse impacts and is consistent with the policy framework. On this basis, it is respectfully requested that this application is approved.

Mark Jarman
Planning for Tennis
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