

Appraisal of
Planning Application Ref No 2022/5320/P

submitted to
Camden Council

regarding
the former Mansfield Bowling Club

on behalf of
residents of 36, 38, 40, 42 and 46 York Rise London NW5 1SB

written by
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Introduction

1. This document is an appraisal of the above-mentioned planning application currently being considered by Camden Council.
2. It has been commissioned by residents of 36, 38, 40 and 46 York Rise London NW5 1SB with the aim of assisting the Council to make a policy-based decision on the application.

Impacts on local character and the heritage significance of the Conservation Area

3. Policy D2 of the Local Plan says: *"The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm."* and *"The Council will: e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area..."*
4. Paragraph 7.46 of the Local Plan goes on to say: *"The Council will therefore only grant planning permission for development in Camden's conservation areas that preserves or enhances the special character or appearance of the area."*
5. For any multi-storey developments, such as the one currently proposed, Policy DC3d of the neighbourhood development plan, which now forms part of the local development plan, requires *"avoiding juxtaposition of buildings of significantly different scale and massing and incorporating a gradual transition from the scale of the surrounding built context where appropriate."*

6. The south elevation for the 2017 consented scheme is as shown below:



7. The south elevation for the current proposed scheme is as shown below:



8. The north elevation for the 2017 consented scheme is as shown below:



9. The north elevation for the current proposed scheme is as shown below:



10. As the images above show, whilst the proposed residential re-development consented in 2017 would have responded relatively positively to the characteristics of the surrounding residential buildings (as concluded by the appeal inspector), in contrast the design of the current application, including its scale, bulking and form, would be significantly uncharacteristic of the area.
11. Similarly, whilst the built form of the 2017 consented scheme would have assisted in allowing its bulk to appear reduced, the design of the current application emphasises its increased bulk to the detriment of the character of the area.
12. The Council's Conservation Area Appraisal and Management Statement highlights the semirural character of the area around the application site.
13. The increased massing and bulk of the proposed development would appear to grate against this character significantly, and would thus cause at least less than substantial and possibly substantial harm to the heritage significance of the Dartmouth Park Conservation Area. Either way it would be far from meeting the preserving let alone the enhancing tests set by Local Plan Policy D2 section e.
14. Also, given the juxtapositions of buildings of significantly different scale and massing and the lack of any gradual transition, the proposal appears to be contrary to Policy DC3 of the neighbourhood development plan.

Impacts on nearby residential amenity

15. Public Transport Accessibility Levels go from 0 to 6, where 0 is the least accessible to public transport and 6 is the most accessible. The map below shows that for 2021 the site in question has a poor Public Transport Accessibility Level, ie 2:



16. Policy T2 of the Local Plan says: *"The Council will limit the availability of parking and require all new developments in the borough to be car-free....We will ... limit on-site parking to i. spaces designated for disabled people where necessary, and/or ii. essential operational or servicing needs..."*
17. Clarifying this, paragraph 10.18 of the Local Plan says: *"Staff parking is not considered essential and will not be permitted"* and paragraph 10.20 says: *"If a development is to have new occupiers, this should be car-free."*
18. It is therefore clear that the Local Plan says no on-site staff parking would be allowed for the proposed development. Given this and given the fact that the site has a poor Public Transport Accessibility Level of 2, it is likely that the proposal would lead to significant amounts of extra on-street parking pressure, which would impact residential amenity, which according to policy H8e would mean that the development would not accord with the local development plan.
19. Other documented negative impacts of the proposal on nearby residential amenity include:
 - a. overshadowing impacts - it should be noted that the light lines used to calculate the 25 degree angles in the daylight assessment document, submitted with the application, do not emanate from the centre of garden level windows for the York Rise properties, but rather higher up those buildings, giving a false impression of the impact of the shading that would result from the proposal;
 - b. overbearing impacts – especially for those on York Rise, due to the excessive bulk and proximity of the proposal;
 - c. privacy impacts – due to the height and proximity of the proposal, especially to those on York Rise;
 - d. risk of surface and/or ground water flooding – there is a lack of strategies submitted to obviate the flood risk to neighbouring properties, especially for those on the south side of the proposed building, which are below the site level;
 - e. noise nuisance to neighbours – including from the close proximity of the proposed ambulance bay to the rear of properties on York Rise (it would be about 10 metres from their rear doors and a mere 2 to 3 metres from their rear garden fences), and the noise emanating from deliveries, garbage & recycling collection, family visitors and other traffic movements around the site (much of which has been significantly under-estimated in the application documents) all of which would be around 10 metres from neighbouring houses, which is far less than the recommended 35 metre minimum;
 - f. negative air quality impacts – the report states that "...car trip generation exceeds the air quality neutral benchmark derived for an average development in Inner London." but there are no mitigation plans presented;
 - g. light pollution impacts – which would be 24/7 due to the nature of the proposed use. The lighting impact assessment does not cover the impact on, for example, 46 York Rise, which has a garden length 6.4 metres and the proposal site is about 1.5 metres above this garden level, so lighting could affect this and the associated residential dwelling.

Demonstrable need for this type of accommodation

20. Paragraph 62 of the National Planning Policy Framework identifies older people as a group in the community whereby the size, type and tenure of housing should be assessed and reflected in planning policies. Planning Practice Guidance (PPG) provides further broad guidance on identifying and addressing the housing needs of this group.
21. However, this is not an easy task given the complex and diverse accommodation and related care needs of older people. The PPG lists some of the different ways that specialist accommodation may be provided ranging from age restricted market housing, through extra care units to residential care homes where there is a high degree of care giving. That said, depending on the availability of support services, adaptations and assistive technologies, many older people could continue to live in their existing homes within more general housing provision.
22. Policy H8a of the Local Plan requires that the proposal *"is needed to meet a demonstrable need within the borough and will be targeted at borough residents"*. The key word here is *"demonstrable"*. On closer scrutiny, it appears that such a need has not been demonstrated.
23. The HPC CARE HOME NEED ASSESSMENT document submitted with the application contains numerous flaws. These render its assertion that a need has been demonstrated to be highly questionable at best. For example, the assumptions for need that are shown are based on an overly simplistic methodology and nationally averaged data for bed requirements among the elderly in total (taken from LaingBuisson's Care of Older People UK Market Report), not the specific requirements of Camden, or even just London as a whole, both which are statistically significantly different to a nationally averaged picture.
24. Indeed, the current London Plan (2021), at paragraph 4.13.14 says: *"To meet the predicted increase in demand for care home beds to 2029, London needs to provide an average of 867 care home beds a year. The provision of Care Quality Commission rated Good or Outstanding care home beds is growing at around 3,525 bed-spaces a year in London and provision of dementia-capable bed spaces at a rate of 2,430 places a year. If the rates of supply and demand remain constant it should be possible to meet potential demand for both care home beds and dementia care home beds."* This is in stark contrast to the asserted shortfalls from the HPC document's nationally averaged projections.
25. The "forecasts" used in the HPC document also do not take into account the shift towards more people, even those with dementia, being cared for in their own homes and in other less intensive settings. The Alzheimer's Society has highlighted that *"current public policy aims to enable people with care and support needs, including people with dementia, to live independently in their own homes for as long as possible. The Society believes that people with dementia who want to remain in their own homes should be supported to do so for as long as possible."*
26. Advances in home care methods and technology, such as Telecare, are making this more possible and this trend is set to continue. Even the LaingBuisson Market Report

acknowledges that “some of those who would previously have been placed in residential care are now receiving homecare services (in line with government policy)”.

27. Despite the above, the HPC document simply takes national current or even old national figures and straight line extrapolates them into the future with no account being taken of the changes in care settings that are set to accelerate in the future. It is this kind of flawed analysis that makes the assertions of need, that the application is based on, fall well short of being demonstrable, and hence they fall short of the requirement of Policy H8a of the Local Plan.
28. Policy H8a of the Local Plan also requires that the residential care services to be provided by the proposed developed should be “targeted at borough residents”. There is no sign of such care being targeted of residents of the borough of Camden. In fact, being near to the borough border, and having a high price point, it could be assumed that many, may be the majority, of the residents would come from neighbouring and more wealthy boroughs. This would also render the proposal as not complying with the requirements of Policy H8 of the Local Plan.
29. Para 3.208 of the Local Plan also states that “We anticipate that most needs will be met by providing support for people to live in suitable homes in the general housing stock rather than in homes designed to meet particular needs...”

Conclusion

30. Given the above, it is our conclusion that the proposal breaches the development plan and it would even fail a balancing exercise because any of the benefits would be outweighed by the identified harms.