



Dartmouth Park Conservation Area

Mansfield Green Space

The importance of the Mansfield site as a contributor in defining the character of the Conservation Area is set out in the Council's CAAMS for the Dartmouth Park adopted in January 2009. Retaining this green space (as defined in the NPPF) is crucial to the preservation and enhancement of the Conservation Area as a whole which is variously said to be leafy, faux-rural and, in many areas, village like. Its character thus defined is not accidental but is instead the product of, if not planning, then close supervision by the original estate owners, notably, of course, the Dartmouths. This characterisation is, moreover, not confined to Victorian Dartmouth Park.

The development of the land to the north and east of the Mansfield site, which has a shared history with the Mansfield, was expressly inspired both by that shared history and by philosophy of the Arts and Crafts movement. The history is ably set out by the London Parks & Gardens Trust

The Brookfield Estate was built as a development of flats and maisonettes to provide much-needed working class housing after WWI, as a direct result of the subsidies local authorities were able to claim under the Addison Act of 1919 in order to build 'Homes for Heroes'. In 1922 St Pancras Borough Council purchased a large part of the Upper Drying Ground of Holly Village (q.v.) that had formerly been part of Baroness Angela Burdett-Coutts Holly Lodge estate (q.v.), together with an adjoining field known as Two-Acre Field. The sloping site was part of the substantial area that Baroness Burdett-Coutts had made available to the local community for recreational use, which included an area for allotments she had provided in 1876. South of the allotments were tennis courts, with a small pavilion built in 1885; in addition to tennis, bowling and croquet were soon played here and Baroness Burdett-Coutts is said to have enjoyed watching the games. She died in 1906, and in 1913 her widower closed the allotments, although the adjacent open space continued to be used for recreation. A new clubhouse had been built in 1911 and the Kenlyn Lawn Tennis Club was founded in 1919. In 1920 the Burdett-Coutts estate sold this open space to the Mansfield Bowling Club (1920) Ltd, the company that continues to own this land. The Objectives in the company's Articles make reference to both tennis and croquet and the continued use of the land for sport and recreation. At this point it was a substantial area with an open frontage to the public roads.

The Brookfield Estate was laid out between 1922-30, designed by Albert J Thomas, Edwin Lutyens' principal assistant between 1902-35. The layout of the estate has echoes of Lutyens' Hampstead Garden Suburb (q.v.) and follows the garden suburb principles prevalent at the time, such as are found in Raymond Unwin's 'Town Planning in Practice'. Consequently there are winding streets, views and vistas created by careful alignment of roads and landscaping, provision of street trees, hedging on boundaries, as well as garden areas. The housing was mainly of 2-storey cottage-style maisonettes, each providing 4 or 6 dwellings, and 4-storey blocks of flats; they were positioned in order to engender a rural appearance to the estate, enclosed by the curve of Croftdown Road. The buildings were set back from the pavement and had long front gardens entered through oak gates, with privet hedges and some with garden trees. Behind the properties were good-sized garden areas that were originally open, and were provided to encourage self-sufficiency in the residents much like the allotments found in many other early C20th garden suburbs. These rear gardens were later subdivided into individual units. The mansion blocks in Croftdown Road and St Albans Road were

contemporary with the cottages. At the top end of Croftdown Road is the community centre, which was originally a church school on land provided by Angela Burdett-Coutts, across the road from which is Brookfield Primary School and Highgate Branch Library. This part of the Estate was recently refurbished and provides particularly good examples of the 'semi-rural' character of the Estate, having very long wooded gardens that back onto equally long wooded gardens.

...Highgate Branch Library, built in 1906, was the first branch library to be built in St Pancras Borough. The site, which was acquired from the Burdett-Coutts family, was largely paid for by the Duke of Bedford, the building costs paid for through a larger donation by Andrew Carnegie to St Pancras Borough Council. It faces the junction of Chester Road and Raydon Street and was designed by William Nisbet Blair, St Pancras Borough Engineer.

The area of open space used for recreation within the estate has been reduced over the years although Mansfield Bowling Club continues to have an outdoor bowling green and Kenlyn Lawn Tennis Club still plays here on 2 clay courts. When Mansfield Bowling Club's small clubhouse was replaced in the 1970s by a more substantial building with an indoor bowling arena, part of the site was lost to housing development, which also resulted in the loss of its public frontage and closed part of a historic footpath. At the same time, an area was tarmacked to provide car parking. However, in 1992 Dartmouth Park was designated a Conservation Area and following further public consultation, the remaining open land was designated as private open space in the then Local Development Plan, a designation intended to preclude further erosion of open space. In January 2009, following extended public consultation, this designation was reinforced by Camden Council's adoption of the Dartmouth Park Conservation Area Appraisal and Management Strategy. The Mansfield site is now designated as 'an asset of community value' under the Localism Act, the first private land in Camden to be so designated.

Allowing further erosion of the Mansfield open space by allowing a further substantial housing development would do considerable harm to both the character and appearance of the site and, as important, the Conservation Area.

Consequently the proposal would be contrary to Policy CS14 of the Camden Core Strategy, 2010-2025; and Policies DP24 and DP25 of the Camden Development Policies, 2010-2025.

In our view the harm done both to the immediate vicinity and to the Conservation Area as a whole would be substantial and is therefore also contrary to the relevant provisions of the NPPF.

Substantial or not, the claimed housing supply benefits are vastly outweighed by the harm done. Any non-housing benefits claimed are derisory.

The character of the Conservation Area is the product of both function and appearance of, inter alia, the buildings, within it. In the words of the Development Plan (DP) at para 25.2:

"The character of conservation areas derive from the combination of a number of factors, including scale, density, pattern of development, landscape, topography, open space, materials, architectural detailing, and uses."

DP25 (paragraph 25.8) further requires that, even where a building makes little or no contribution to the character and appearance of a conservation area, demolition consent should be refused unless "any replacement building enhance(s) the conservation area to an appreciably greater extent than the existing building". The existing clubhouse and indoor bowling green is designated as a negative building. The negative designation arises from both the excessive bulk and poor quality and design of the building rather than to its function. In this context, the replacement of a huge poor quality blob of a building with an even larger blob, even if claimed to be of superior quality, cannot remotely be claimed to be enhancing the Conservation Area to an appreciably greater extent than the existing building. This particularly so when the function of the existing building relates relevantly to the site which does make a

very significant contribution to the character of the Conservation whilst its replacement does not. One significant symptom of this is that whilst the location within the site of the existing building makes some kind of sense in terms of its role/function, a housing development marooned in the middle of the site and completely unrelated to the urban grain makes absolutely none.

For this reason too, granting permission would be contrary to DP25.

Leaving aside, for the purpose of argument, the argument which leads us to the excessively contrived proposition from the developer that the footprint of the whole building has somehow become a 'brown field site', the proposition is as a basis for the current application patently flawed.

First, and most important, whilst the buildings themselves are crammed onto the footprint the overall application is by no means limited to the footprint of the clubhouse and indoor bowling green but instead requires the loss of significant additional open space.

Second, almost as important, it is factually and historically untrue to say the current building is entirely devoted to being an indoor sporting facility. The building replaced, physically and in function, a substantial club house which served not only the indoor bowling facility but also, for example, the outdoor bowling. The current building also served as club house for members not involved in either indoor or outdoor bowling. It was moreover used for events ranging from jazz evenings to Weddings not to mention being a regular meeting place for at least one Masonic Lodge.

The provisions of the Development Plan relating to open space must be read in the context of the Conservation Area designation ie the open space is not merely important in itself but because of the substantial contribution it makes to the character of the Conservation Area. Allowing yet further encroachment into the open space is plainly precluded by not only the provisions set out earlier but also by specific Development Plan policies summarised at 13.13 of the Core Policies:

....We will continue to protect our open spaces and other green spaces, where possible and seek to create additional open spaces.

and set out more fully at CS15 which clearly preclude granting permission for a development which involves a further loss of open space on the Mansfield site and the application should be reused on this ground too.

Indeed, the Council's Development Policies extend further (see, for example para 31.10 :)

The Council will seek opportunities to bring private open space into public use and for development sites adjacent to existing open space to increase the size of the open space, where practicable.

The fact that at least some of the land designated as open space has been damaged, in this case tarmacked, for parking does not, as a matter of policy, make it less worthy of protection. Once a green space is lost to a housing or whatever development it is lost whilst tarmac can be removed.

One benefit of open space identified in the Development Plan which is of particular importance in respect of this application given the known continuing flood risk in the immediate area is set out at CS para 15.5

Camden's parks and open spaces are important to the borough in terms of health, sport, recreation and play, the economy, culture, biodiversity, providing a pleasant outlook and providing breaks in the built up area. ***They also help to reduce flood risk by retaining rain water.... (emphasis added)***

Any housing development on the site ought, in any event to be car free and the proposition that open space should be given over to private cars is, simply, outrageous. This is particularly so given the current evolution of the Development Plan.

The applicants appear to have understood both that at least part of the existing building has a use which is ancillary to the site as a whole and that its loss to a housing would be detrimental to the proper use and enjoyment of the open space and do further harm both to their case and be fatal to their claim that what they propose would enhance(s) the conservation area to an appreciably greater extent than the existing building.

Although they explicitly eschew any claim that what they propose is an enabling development, such a claim wouldn't stand up to a moment's examination in any event, they do include a somewhat inadequate replacement club house in their application. What beggars belief is that they propose to build it on virgin open space. The Council's Development Policies in relation to ancillary buildings on open spaces, which expressly require the previous history of the development of ancillary buildings to be taken into account, plainly requires that this purported replacement can't require the loss of further open space.

The open space and leisure policies of the Development Plan, which itself does already refer to the concept of 'green spaces', must not only be read and understood in the context of the Conservation Area designation but also in the light of paragraphs 76 and 77 of the NPPF and the guidance issued under those provisions.

76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

These aptly describe the Mansfield Site which will, as the next generation of Local Plans, including the Neighbourhood Plan, come to fruition, receive the relevant designation. An inappropriate consent now which pre-empts this would be highly objectionable.

For obvious reasons given the above the associated guidance refers to the strong possibility that designated 'green spaces' would also be designated as Assets of Community Value. In the case of the Mansfield site our Asset designation, a material consideration in determining this application, has merely come first.

Even if one was prepared to contemplate a housing development because one thought the balancing gain against the harm done justified it, which, of course, we aren't and don't, the present application is unnecessarily destructive and occupies a disproportionate share of the site.

The present application is also woefully inadequate when measured against the Council's aspiration that this "private open space" is brought more fully "into public use". In reality what is offered is hardly more than a carpet sized public open space. It is right that on a more substantial open space continuing provision should be made for Kenlyn, which has been a part of the sites history for almost a hundred years. The highly contrived proposals included with this application fails to deliver even this. The pretence that the three courts offered will be, in a meaningful way, available to the public is derisory. The arrangements proposed do not offer any sort of real guarantee that what little remains of the open space will put out of harm's way in perpetuity but instead suggests the possibility that developers will return in a few years' time for a third and final bite of the cherry.

The outcome of this application does not and cannot turn on whether that part of the current building which is currently devoted to indoor bowls is needed for and/or viable as a an indoor sporting facility or, if demolished without being replaced, for outdoor sporting facilities. The future of the whole site cannot properly be decided by the potential of part of a building. It has, though, received disproportion attention mainly because of its role in trying to establish the 'brown field' site proposition which underpins this application. We salute and welcome the efforts of those objectors who have challenged in considerable detail the volte face by the developer on this issue and acknowledge that their work will have a shelf life lasting well into the future once the present application is seen off. It isn't a proper function for Development Control to attempt to determine the sites future on the basis of a particular application. In any event, the possible variables of ownership, legitimate use and possible funding streams make coming to a definitive answer an impossible task. What is clear beyond doubt on the basis of our work in the early days of establishing the site as an asset of community value is that, once stripped of the aspiration that the land is available for high value housing development, and the land value thus established, the site will attract a great deal of attention from a range of more relevant players.

The Planning Authority is reminded that in making the unchallenged determination that the site is an Asset of Community Value the Council has already settled the key issue here as this is formulated in S88 of the Localism Act, viz

it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community."

In the circumstances we don't propose to comment on further detailed aspects of the application eg the horrendous proposals to excavate basements.

Patrick Lefevre
Chair