

<b>Address:</b>	<b>Mansfield Bowling Club</b> <b>Croftdown Road</b> <b>London</b> <b>NW5 1EP</b>		<b>1</b>
<b>Application Number:</b>	2015/1444/P	<b>Officer: Kathryn Moran</b>	
<b>Ward:</b>	Highgate		
<b>Date Received:</b>	<b>11 March 2015</b>		
<b>Proposal:</b> Creation of a new publicly accessible open space; enhanced tennis facilities including the reconfiguration and extension of the courts to provide an additional court and provision of a new ancillary pavilion (Class D2) to replace existing ancillary buildings; creation of a new community garden; and the demolition and replacement of the existing bowling club building with a new part three storey, part 2 storey building providing 21 residential dwellings (Class C3) with associated access, parking and landscaping.			
<b>Background Papers, Supporting Documents and Drawing Numbers:</b> Utilities Statement, Sustainability Strategy Report by MTT Ltd, Travel Plan by Ardent Consulting Engineers, Transport Statement by Ardent Consulting Engineers, External Lighting Impact Assessment; Environmental Noise Survey Report by Sandy Brown Associates LLP, Energy Strategy Report by MTT Ltd, Phase 1 Habitat Survey and Reptile Survey James Blake Associates; Drainage Strategy by Ardent Consulting Engineers; Daylight and Sunlight Assessment by MTT Ltd, Strategic Construction Management Plan; Arboriculture Implications Assessment and Arboricultural Method Statement by James Blake Associates; Sports and Leisure Report by SLC, Affordable Housing Statement by DS2, Heritage Housing Statement by Icení Engagement, Statement of Community Engagement by Icení Engagement, Planning Statement by Icení Projects, Design and Access Statement by Icení Projects, Phase 2 Survey Report; Basement Impact Assessment by Train and Kemp; Site Location Plan; 2130 AA4437 F; 2163 AA 437 C; 2187 AA4437 C; 2186 AA4437 C; 2185 AA4437 C; 2159 AA4437 B; 2158 AA4437 B; 2147 AA4437 B; 2146 AA4437 B; 2145 AA4437 B; 2120 AA4437 B; AL4437 2003; A4437-2002; AL4437 2001; AL4437 2000; 2180 AA4437 B; 2175 AA4437 B; 2171 AA4437 C; 2170 AA4437 B; 2164 AA4437 B; 2162 AA4437 B; 2161 AA4437 B; 2160 AA4437 B; 2140 AA4437 B; 2136 AA4437 C; 2135 AA4437 C; 2100 AA4437 B; 2121 AA4437 B; 2111 AA4437 B; 2110 AA4437 B; 2107 AA4437 B; 2106 AA4437 B; 2105 AA4437 B; 2103 AA4437 B; 2102 AA4437 B; 2101 AA4437 B; Independent Assessment of BIA by Campbell Reith; Independent Assessment of SLC report by KKP.			
<b>RECOMMENDATION SUMMARY: Grant Planning Permission subject to a Section 106 legal agreement</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Mansfield Bowling Club (1920) Ltd Mansfield Bowling Club Croftdown Road London NW5 1EP		Generator Group LLP Paxton House 30 Artillery Lane London E1 7LS	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (m2)
Existing	Class D2	Leisure/Sport  Open Space	944 ( <i>tennis</i> ) 1831 ( <i>bowling green</i> ) 2508 ( <i>bowls club</i> ) 1787 ( <i>private</i> )
Proposed	Class C3/D2	Residential Leisure/Sport Open Space	3092 1634 ( <i>tennis</i> ) 2818( <i>public</i> )

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	68 informal	0
Proposed	4 for dwellinghouses	2 1 for tennis club

## OFFICERS' REPORT

**Reason for Referral to Committee: The proposal constitutes a Major Development [Clause 3(i)] as it involves the provision of buildings where the floor space to be created by the development is 1,000 square metres or more.**

### 1. SITE

- 1.1 The application site comprises a 0.85ha backland site accessed from a single point on Croftdown Road (to the west). The site is also surrounded by predominantly residential buildings which front onto York Rise (to the south-west), Laurier Road (to the south-east) and Dartmouth Park Avenue (to the north-east and east) as well as Croftdown Road. Generally the neighbouring buildings comprise semi-detached properties set within generous front and rear garden spaces. The exception to this is the terrace of residential properties located along York Rise and the neo-Georgian style townhouses on Croftdown Road (known as No's 1-15 Regency Lawn), which date from the 1970s having previously been part of Mansfield Bowling Club (see relevant history below). St Mary Brookfield Church Hall is also located adjacent to the site, on York Rise close to the junction with Laurier Road.
- 1.2 The application site itself comprises a 6 rink indoor bowling club facility, an outdoor bowling green (both operated by Mansfield Bowling Club – MBC), two tennis courts and associated clubhouse, a small allotment area with associated structures, hardstanding used as access and car parking facilities for the aforementioned facilities and areas of open space
- 1.3 More specifically the indoor bowling club facility is a part single storey (double height), part two (partly double height), part three storey building dating from the 1970s (see relevant history below). It has a partial brick, partial metal cladding façade treatment interlinked with glazing at various points. Within the building at ground floor level the space is dominated by the indoor bowling green, together with associated male and female changing facilities, a bar / lounge, toilets, kitchen and club rooms/offices. At first floor level there is an open plan function room, leading into a bar / lounge, Masonic lodge room and one of the two ancillary residential flats within the building. The second ancillary flat is located at second floor level.
- 1.4 Prior to the indoor facility and Regency Lawn being built the site was more open in nature with bowling and tennis facilities together with a clubhouse positioned where Regency Lawn now exists. MBC has indicated that they have operated from the site since 1891.
- 1.5 The north of the indoor facility is an outdoor bowling green which has been disused by MBC since September 2011 and two tennis courts, in active use by Kenlyn Lawn Tennis Club. The tennis club has a small clubhouse to the south of the courts, which are shale in type and

enclosed by fencing. To the north of the tennis courts are allotments, with the land being used to grow various vegetables in evidence during the officer site visit on 19 May 2015 . To the north of the allotments, close to the boundary of the site, are associated sheds. To the south and west of the indoor bowling facility are associated hard surfaced car-parking spaces. There are also areas of green open space within the application site, most substantially in the north-east and southern corners and also in the perimeter areas surrounding the indoor bowling facility, outdoor bowling green and tennis and tennis courts.

- 1.6 The site is located within Dartmouth Park Conservation Area. The MBC indoor bowling facility building is identified within the Conservation Area Appraisal and Management Statement as being a negative building which detracts from the character and appearance of the conservation area. The management plan within the conservation area appraisal specifies that the Council will *“particularly encourage proposals which seek to redevelop those buildings and spaces which are considered to have a negative impact on the special character or the appearance of the conservation area.*
- 1.7 The grounds of Mansfield Bowling Club, more specifically the entire site with the exception of the indoor bowling facility building, is designated Open Space / Private Open Space (POS) on the Local Development Framework proposals Map (2010) and Map 7, page 134 of the Core Strategy, respectively. Of the site as a whole, the conservation area appraisal specifies at paragraph 7.89.

*“tucked away from the road to the south is the Mansfield Club, an open space for bowling and tennis that is identified in the UDP as a private open space, with steeply-rising views in a splendid bowlike formation, of the gardens and backs of houses in Laurier Road and Dartmouth Park Avenue”.*

- 1.8 More generally the application site is referenced in helping define the character and appearance of the conservation area as a whole, with paragraphs 4.2-4.4 of the conservation area appraisal specifying:

*“The conservation area is a mainly residential area, but integral to its character are the interspersed uses scattered throughout it. There are small groups of workshops and offices in the southern tip, four large schools, several nurseries, small institutional buildings, four churches, four local shopping centres, a library, seven public houses, a community centre, a health centre and a recreational centre. Part of the sense of character is derived from social cohesion.*

*The semi-rural quality of this area on the fringes of the Heath, with the leafy feel of its tree canopy is an important aspect, and a correlative factor is the quality of darkness at night to which Parliament Hill Fields, the schools, the Greens, the back-lands of Mansfield Bowling Club and Kenlyn Tennis Club, and the large trees in streets and gardens, together with Highgate Cemetery contribute so significantly.*

*It is an area of housing and is a part of Camden where there is little public open space. Despite this, the area's close proximity to heath and hills contributes a sense of greenness, with glimpses of open land beyond. What few public open spaces exist are scattered in tiny pockets; the most notable being the long strip of green on the east, and statutory London squares on the west sides of Highgate Road. The conservation area, however, is made green by visible back and front gardens that provide long views from intersecting roads and between groups of houses, and small public and private open spaces, and attractive mature trees line many roads. The predominance of boundary hedges, trees and shrubs enhance the rural feel of the area".*

- 1.9 It is also noted that trees within the site, including those in the western area of the site, are protected by Tree Preservation Orders. More specifically these comprise 2 x Limes, 1 x Ash & 1 x Mimosa at this point. Furthermore a TPO has been served on a Lime in the area between the indoor bowling green building and the tennis courts, following a 2012 tree application (see relevant history). The south western part of the site is also within an identified hydrogeological constraint area, in respect of surface water flow and flooding matters. The bowling club building is also situated within an identified (map 7 of the LDF) area of public open space deficiency. The site is also within a neighbourhood renewal area (area 8 – Highgate New Town).
- 1.10 The site has a Public Transport Accessibility Level (PTAL) rating of 3 (moderate), although neighbouring properties have a PTAL of 4 (good). The closest underground station is Tufnell Park, located approximately 750 metres away. Meanwhile the site is also equidistant from two overground stations in Gospel Oak and Upper Holloway, approximately 850 metres away. The site is well served by 4 nearby bus routes (C2, C11, 4, 214) with bus stops located nearby on Highgate Road, Swain's Lane, Chester Road, Raydon Street, and Dartmouth Park Hill. The site is also located within the Highgate Controlled Parking Zone (CPZ), CA-U. The Highgate CPZ operates on Monday to Friday between 1000 and 1200noon. The ratio of parking permits to parking spaces in the CPZ is 0.66. This suggests that parking stress does not constitute a significant issue in this part of the Borough. However, officers are mindful that it should not be assumed that parking stress is not an issue in the vicinity of the site.

#### Asset of Community Value

- 1.11 Furthermore as of 22/05/2013 Mansfield Bowling Club has been formally listed by the Council as an 'asset of community value', as per the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012. In practice this means that if a landowner wants to sell a registered property, they must tell the council. If a group wants to buy the asset, they can trigger a 6 month moratorium to give them a chance to raise the money but the landowner can still sell at the going market rate. This period gives community groups some time to develop a proposal and raise the required capital to bid for the property when it comes onto the open market at the end of the moratorium period. The

period for which the landowner has to appeal the listing has now expired. In October 2013 the owner notified the council of their intention to sell, triggering the interim 6 week moratorium. However no eligible group came forward to trigger the full 6 month moratorium. Under the legislation, no further moratoria can be triggered within 18 months of the date of the notification to sell. This protected period expired in March 2015. The Bowling Club remains an asset of community value.

- 1.12 The Council is aware of an offer made to the owner of the site on 28 October 2015 to purchase the entire site for £150,000. The Council has not been party to any further discussions regarding this offer.

## **2. THE PROPOSAL**

- 2.1 Planning permission is sought for the demolition of the existing bowls club house and erection of a part two part three storey residential building the same footprint as the existing bowls club. The residential development would accommodate 4 x 4 bed three storey town houses including basement, 2 x 4 bed dwellings and 4 x 2 bedroom two storey dwellings. The remainder of the development will accommodate 11 affordable flats; 6 social rented and 5 intermediate (shared ownership). The building would be constructed in brick and render. The roof would comprise green roofs and solar photovoltaic panels.
- 2.2 The two existing tennis courts would be repaved to improve the facilities and an additional court would be provided. The existing club house would be also demolished and replaced with a new pavilion for the tennis club. The pavilion would accommodate WCs, a kitchenette, indoor space for meetings and storage facilities for tennis equipment. There would also be a sheltered terrace.
- 2.3 Much of the site would provide landscaped gardens including a large central garden and smaller gardens with seating areas. The lawn area would provide fixed children's play equipment, natural play equipment and informal play space. A community garden is also proposed with fruit trees and raised planting beds, a shed and compost area. There would also be picnic benches. The open landscaped areas would be publically accessible providing amenity space for residents of the development as well as residents of the local area. An additional pedestrian access route from Croftdown Road is also proposed.
- 2.4 The development would provide six parking spaces including two disabled parking spaces for the residential development and one car parking space for use by the tennis club. The proposals also involve the removal of three trees but retain the majority of those on site. Some works (crowning, re-pollarding) are proposed to some of those trees proposed to be retained.

### Revisions



- 2.5 The scheme has been revised since it was first submitted and the level of on-site parking has been reduced from 19 to six residential parking spaces including two disabled bays and one parking space for the tennis club. The area to be used as a car park would provide additional public open space and access for service vehicles.

### 3. **RELEVANT HISTORY**

- 3.1 20261 - To erect a sports pavilion at the premises, the Mansfield Bowling Club, Croftdown Road, St. Pancras. Granted 04/01/1962. This appears to be the structure associated with Kenlyn Tennis Club.
- 3.2 5557 - Outline application for the erection of 28 flats and garages, a new indoor bowling green and clubhouse, provision of 70 parking spaces and the re-siting of the tennis courts at the site of the Mansfield Bowling Club Sports Ground, Croftdown Road. Granted 05/09/1968. This scheme was not implemented.
- 3.3 D11/3/A/6446 - The redevelopment of the site of the Mansfield Bowling Club, Croftdown Road, Camden, by the erection of an indoor Bowling Green, with clubhouse, 15 3-storey dwelling houses with integral garages and the provision of parking for 70 cars. Granted 13/03/1969. This scheme was implemented, with the 15 dwelling houses being 1-15 Regency Lawn.
- 3.4 10657 - The erection of 10 three-storey terrace houses on the frontage of the Mansfield Bowling Club Site, Croftdown Road, N.W.5. Granted 24/07/1971. It does not appear that this application was implemented.
- 3.5 13959 - Use of the site of the tennis court in Southern corner of the Mansfield Bowling Club, Croftdown Road N.W.5. for car parking purposes. Refused 20/07/1972. Reason for refusal: The use of this part of the site for parking purposes, would cause undue detriment to the amenities of adjoining residents by reason of noise, fumes and vehicular movements associated with a car park.
- 3.6 8903401 - The construction of an additional tennis court and surrounding fence in the southern corner of the site as shown on unnumbered location plan. Granted 23/01/1990. It does not appear that this application was implemented.
- 3.7 9003208 - Erection of a first floor extension on columns to provide additional accommodation with retention of existing car parking beneath. Approved 12/09/1990. It does not appear that this application was implemented.
- 3.8 2010/2039/P - Retention of temporary site in part of the car parking area to the south of the Mansfield Bowling Club building, comprising nine steel containers and associated hoardings for use as offices, storage and associated facilities for a period of 1 year, in connection with on-going external works to nearby residential buildings. Granted 11/10/2010 for a temporary period of 1 year. During site visit on

14/02/2013 it was evident that no element of this application remained at the site.

- 3.9 2012/6593/P - Refurbishment and reconfiguration of existing clubhouse building to provide a new leisure and fitness facility and indoor bowling club (Class D2); enabling development of 8x4 bedroom basement and three-storey self-contained residential units (Class C3) and associated works including new access from Croftdown Road; landscaping works to provide areas of publicly accessible open space and associated alterations following loss of an outdoor bowling green and 2 outdoor clay tennis courts.

3.10 The scheme was refused on 5 July 2013 on the following grounds:

- Redevelopment would result in a loss of protected land (private open space) which would be detrimental to the open nature of the site and harmful to the character and appearance of the surrounding area and this part of Dartmouth Park Conservation Area. This would lead to the loss of land which provides a valuable contribution in terms of health, sport, recreation and play,
- The scheme did not provide an appropriate contribution towards the supply of affordable housing,
- The proposed residential density would fail to maximise the contribution of the site in to providing additional homes in the borough and the scheme failed to provide a mix of large and small homes and therefore would not contribute to mixed and inclusive communities,
- The applicant failed to submit sufficient information to demonstrate that the basement excavation would not cause harm to the built and natural environment and local amenity and would not result in flooding or ground instability,
- No S106 agreement was in place to secure appropriate planning obligations including incorporation of sustainable measures, car-capped housing, a service management plan, and necessary highways works.

The following informative was attached to the decision:

*“Without prejudice to any future application or appeal, the applicant is advised that any future proposal to maintain Mansfield Bowling Club at the application site should have regard to focusing any necessary 'enabling' development upon that part of the application site not designated as Open Space, and to the identification of the existing building (not use) as a negative building within the Dartmouth Park Conservation Area Statement.”*

An appeal against this decision was lodged and subsequently withdrawn by the appellant on 28 February 2014.

**Environmental Impact Assessment (EIA) Screening Opinion application**



- 3.10 2013/0374/P - Request for Environmental Impact Assessment (EIA) Screening Opinion for works involving the refurbishment and reconfiguration of existing bowling clubhouse to provide a new leisure and community facility, enabling development of 8 residential dwellings and associated landscaping and publicly accessible open space, following loss of an outdoor bowling green and 2 outdoor clay tennis courts. EIA not required as, though the development is, by definition, Schedule 2 development, it is not considered to be EIA development as defined by Regulation 2(1) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2011 no. 1824). Date of decision 4.2.13.

### **Tree applications**

- 3.11 TC9706196 - Reduction of 1 X Ash in car park. No objection to works 30/04/1997
- 3.12 TC9807159 - Reduction works to one Lime tree in car park area. No objection to works 05/01/1999
- 3.13 2012/3851/P - Between north-west wall of clubhouse and tennis courts: 1 x Lime – Fell. Object to works 28/08/2012 for the following reason: The Lime tree is visible from a wide area and is considered to provide a reasonable amount of visual amenity within the area and make a positive contribution to the character of the area. The Lime provides enhances the tree canopy of the area and provides habitat for local wildlife. It also contributes to screening between surrounding properties and the bowling club buildings. The notification suggests that the tree is likely to be decayed due to the presence of decay in a neighbouring tree which recently failed. A visual inspection and sounding the main stem with a mallet produced no indication that any decay was present. No evidence in the form of data from decay detection tests resistograph or PICUS have been submitted with the notification to demonstrate the presence of decay. A Tree Preservation Order has been served to protect the visual amenity the tree provides and preserve the character of the conservation area.

## **4. CONSULTATIONS**

- 4.1 A site notice was posted from 10 April 2015 to 1 May 2015 and a press advert was place in Ham & High from 16 April 2015 in 7 May 2015.

### External Consultees

- 4.2 Thames Water:  
No objection subject to informative
- 4.3 Environment Agency

The site is in Flood Zone 1 is under a hectare so there was no need to consult Environment Agency.

4.4 Natural England:

No comment to make

4.5 Sport England:

There is insufficient evidence to demonstrate that the current and future sporting needs for Camden are met and that the site is no longer required to be retained in sport and leisure use as Camden's facility needs would be met elsewhere.

4.6 Councillor Gimson:

- Site has been designated for leisure use and private open space
- Site is opposite a large school (La Sainte Union) which lacks leisure space and needs an indoor gym
- Other nearby schools would be interested in using the site
- Schools were not consulted
- Unclear what the benefits of sale of the site would be for Bowls Club of Great Britain

4.7 Councillor Berry

- Site is an Asset of Community Value as open space for leisure use
- Applicant has failed to demonstrate that continued leisure use of the site would not be viable
- Disagrees with the conclusions of the report commissioned by Camden Council
- Ample demand for indoor and outdoor sport venues
- Local schools were not consulted (La Sainte Union and Brookfield Primary school in need for space for sport)
- Obstruct light and views for surrounding residents
- Impact on privacy for neighbours
- Site should be car free and car capped
- Not in keeping with surrounding buildings in terms of bulk and site occupancy
- The proposed residential development and car parking does not meet the criteria for 'enabling development'
- Proposal represents over development of the site
- Asset of community value should be preserved

4.8 Councillor Lewis

- The KKP report is deficient given it:

- does not comment on the failure of the applicant's report to engage with schools of community centre;
- fails to analyse existing facilities at Highgate Newtown Community Centre (HNCC) or;
- fails to coordinate with Camden's own work on demand for leisure/sport as it develops plans to regenerate HNCC

#### 4.9 Dartmouth Park Conservation Area Advisory Committee

- MBC contributes to the character of the Conservation Area
- Further erosion of open space by allowing substantial housing development would harm character and appearance of site and CA
- Housing supply benefits are vastly outweighed by harm done
- Existing clubhouse recognised as a negative building, replacement with a building of same bulk and size would not enhance the CA
- Existing use of building contributes to the character of the area, replacement residential building does not
- Residential building is unrelated to urban grain
- Buildings are crammed onto the existing building footprint but not limited to and will result in loss of open space
- Used for other purposes not just bowls e.g. weddings, jazz nights, meetings for masonic lodge
- Tarmacked areas are not less worthy for protection as green space
- Flood risk in area
- Development should be car free and open space should not be used for parking
- Use of part of the site as housing would be detrimental to the use and enjoyment of the open space
- Building of the pavilion on open space is unacceptable
- The proposed public open space offered is inadequate
- No guarantee that the remaining open space would be protected in perpetuity
- The site is not 'brownfield land'

#### Officer Comment

*The existing building is excluded from the Open Space designation and there is no building on open space proposed. The proposed residential building is considered to enhance conservation area and will replace the existing building in its current state of disrepair which is considered to detract from the character and appearance of the area. The application has been revised to significantly reduce the level of on site parking (a limited amount of the open space would be used for disabled parking) and the scheme delivers a significant reduction in hardstanding for car parking. The open space secured as part of this scheme would be protected in perpetuity in accordance with Council policy and the previous decision to refuse permission on this basis. This is discussed in further detail in section 6.*

#### 4.10 Kenlyn Tennis Club

- The tennis club have not been consulted and has not given approval for the scheme;
- A greater area could be dedicated to sporting/leisure use
- The number of housing units is excessive in terms of enabling development.

A subsequent response was received during the course of the application:

- No objection to provision of additional tennis club facilities subject to agreements regarding operation, fees etc.

#### 4.1 Neighbour Responses

<i>Number of letters sent</i>	93
<i>Total number of responses received</i>	213
<i>Number in support</i>	5
<i>Number of objections</i>	159
<i>Number of comments</i>	47

A summary of the consultation responses is provided below:

##### Open Space:

- Highgate ward is in need of a new park
- Children in need of outdoor play space
- Green space in MBC could be a small urban park
- Additional tennis court would occupy significant proportion of open space
- Pocket park is too small to be properly used
- Need for planted areas similar to Golders Hill Park
- Question whether the public open space really will be publically accessible
- Open space is lost to car parking
- Small garden will not attract good and safe use and will close within weeks
- Small garden likely to be used by young teenagers

##### Officer comment

*The scheme would deliver open green space for public use including children's play space in area where there is a deficiency. The amount of open space has been significantly increased since the application*

*was submitted (following omission of the majority of the on-site car parking). The scheme includes a community garden with planters and additional tennis court which would enhance the community facilities provided and maintain the open nature of the site. The proposed open space would benefit from natural surveillance, would be managed appropriately and the pedestrian access would be locked on an evening to discourage anti-social behaviour taking place. This is discussed in further detail in paragraphs 6.1 to 6.16.*

#### Leisure Uses:

- Need for 1400m<sup>2</sup> of indoor sports hall facilities
- La Sainte Union school received CIP funding interested in renovating the clubhouse
- Highgate Newtown Community Centre site changed use from sports to residential to raise money for CIP programme, activities should be relocated to MBC site
- Provision of large sports facility would generate revenue and would be an attractive investment opportunity
- MBC refurbished by La Sainte Union could be accessible to public outside of school times
- SLC report did not look at demand for sports facilities (indoor football, fencing, gymnastics, circus school)
- Business that combines work space for parents and childcare facilities have expressed interest
- National chain of sports and fitness club also interested
- Only consulted bodies representing bowls
- Kenlyn tennis club chairman has not been consulted
- Sports report conclusion that there is no viable alternative to residential development is untested and should be disregarded
- Two secondary schools in area have expressed an interest
- Third tennis court has not been asked for
- Previous application stated no unsatisfied demand for tennis courts
- S106 funding from the HNCC site could fund refurbishment of the MBC site
- Sport England were not consulted
- Fencing and gymnastics clubs were not consulted
- Overwhelming demand for sports halls from local schools
- Camden Fencing club are seeking premises
- Fencing not assessed as a potential user
- Confidence that fencing could obtain funding to refurbish the building
- Gymnastics clubs in borough such as Talacre Sports centre in Kentish Town are over subscribed
- Fair Play football training has waiting list and is full (over 100 children on books) in need of an indoor hall for training

- Closure of HNCC will have impact on demand for sports facilities in the area
- Indoor football was not considered by SLC or KKP
- Lack of pitches for children's football
- Soft Play centres would have no difficulty attracting visitors
- Gambardo (children's play centre) expressed interest in the site (during consideration of the previous scheme)
- Circus skills club is in demand need for premises with high ceiling, sports centre would be appreciated by the local community
- Site should be sold as leisure use in order to establish whether there is demand
- Enabling development would constitute 1 or 2 residential units to fund revamping the tennis clubs
- The additional tennis court will not increase members
- Tennis courts would not be of benefit to local schools
- Existing field should be open to the schools
- Sports hall would be viable and possibilities have not been fully explored for use by local sports clubs
- Local sports halls are currently over subscribed
- Camden compares unfavourably to other London boroughs when it comes to access to sports halls
- Young people in inner London should have opportunities to enjoy sports and physical activity
- Site was a gift from Angela Burdett Coutts in 19<sup>th</sup> century for local residents to enjoy bowling and tennis and the heritage would be lost
- Development does not take into account needs and right of local community
- No provision for football, volleyball, badminton etc. for use by local people and schools
- There is little need for tennis facilities – area well served
- Space should be used for tennis courts, allotments and community events rather than housing
- Provision of sports facilities for young people is vital to tackle the obesity crisis
- Contradictions between previous proposal to retain the club and this scheme
- The club has been left to become run down and has not encouraged new members to join
- The KKP report does not pick up that there is clear demand for a sports hall
- Further consideration should be given to multi use sites incorporating leisure uses, school use and youth provision
- No evidence to support the enhancement of the tennis facilities
- Desperate need for playing fields not tennis courts



### Officer Comment

*It is considered that there is no longer sufficient demand for the existing bowls use to justify retention of the existing bowls use. However the consultation responses received demonstrate that there is a demand for alternative sports/leisure uses including football, gymnastics and fencing in this area. This is discussed in further detail in paragraphs in 6.17 to 6.47*

### Housing:

- Areas where new homes are to be concentrated are west and south of borough
- Housing provision will not make a dent in housing needs
- Flats do not have access to outdoor space
- Small, dark flats would not solve Camden's housing crisis
- The proposed density too high (68 residents)
- Entry to site is narrow and unsuitable for residential development
- The housing should be social housing only
- Services (schools, nurseries etc) do not have capacity in this area for additional housing
- Only justification for loss of leisure use would be for social housing
- If leisure use is overridden should only be for social housing for nurses, teachers, police officers and firefighters who cannot afford to live in Camden
- Lack of provision of affordable and social housing or parking restrictions
- Type C dwelling would offer poor quality accommodation – small and dark
- Not affordable as starting salary is £45000

### Officer Comment

*Housing is a priority borough wide and there are no particular parts of the borough that new housing development should be concentrated. The provision of 21 residential units would contribute to Camden's housing targets. The dwellings have been designed to include lightwell/courtyards to provide private amenity space and maximise levels of light. The proposed housing density falls within the appropriate level in The London Plan density matrix. The scheme provides six social rented units (29%). A CIL payment would be sought to invest in social infrastructure. New housing development is a priority land use for the Council. The social rented and intermediate housing has been assessed by the Council's Affordable Housing Officer who considers the proposal is acceptable. This is discussed in further detail in paragraphs 6.48 to 6.62*

## Design:

- Scale of building too large
- Units are crammed into a small space
- Monolithic brick structure of terraced housing
- View from Dartmouth Park Avenue will be sedum roofs, solar panels and skylights
- Not sympathetic to housing in the area
- Proposed building 1m higher than existing club house
- Development will blight the area
- Housing development should be innovative and eco friendly
- Residential building is blocky
- Materials are unsympathetic to surrounding area
- Will not enhance the conservation area
- Factory building design
- Not an interesting design, with any creative detailing
- Opportunity for a unique design
- Increase in height is unacceptable
- Roofscape overlooked and not sympathetic
- Materials are unsympathetic and should reflect the red brick character
- The pavilion is too large and would be used to support further development
- Should not repeat the mistakes of 1960s planning

## Officer Comment

*The building is the same height, footprint and scale as the existing clubhouse. The materials and detailed design of the building and the wider landscaping have been assessed by the Council's Urban Design and Conservation Area and the design is considered acceptable which would preserve and enhance the conservation area. The tennis pavilion would replace an existing structure and is considered acceptable in size. It would not set a precedent for further building on open space. This is discussed in further detail in paragraphs 6.63 to 6.67*

## Amenity

- Loss of light
- Loss of privacy proximity
- Noise from additional residents will spoil the tranquillity of the area
- Noise from construction would disturb neighbours
- Noise from new residents, cars, air conditioning,
- Entrance to flats is close to neighbours front door and will result in nuisance day and night
- Houses directly on the boundary of properties in Laurier road

- Impact of bbqs and noise
- Proposed height of building would be oppressive increase in height of 5-6m at end of one garden
- Air conditioning equipment would result in noise nuisance
- Light pollution from residential windows and external lighting

#### Officer Comment

*The proposed residential building is the same height, footprint and scale as the existing clubhouse. It is not located closer to neighbouring residential properties than the existing building. A daylight/sunlight report has been submitted and demonstrates there would be no adverse impact on light received by neighbouring properties. The building is not considered to have an overbearing impact on neighbouring properties. The separation distance between the proposed building and neighbouring properties is considered sufficient to ensure there would be no impact on privacy as a result of terraces and new windows. This is discussed in further detail in paragraphs 6.64 to 6.73.*

#### Basement

- Underground stream running north to south from bowling club building to Laurier road properties
- Gardens in Laurier road are boggy and suffer damp problems
- Basements will force water under nearest houses
- Insufficient information regarding water table or geological reports
- Excavation of basements will set a dangerous precedent
- Question whether adequate assessments have been carried out
- Will have geological and ecological impact
- Tributary of River Fleet runs through this part of Dartmouth Park
- Existing problems of flooding and subsidence
- Site is an EA flood risk zone
- York Rise is a key location at risk of flooding identified in Camden Flood Risk Management document
- The BIA ignores the fact that The River Fleet runs in York Rise

#### Officer Comment

*The applicant has submitted a Basement Impact Assessment (BIA) which demonstrates that the excavation can be carried out without causing flooding or ground instability. The BIA has been independently assessed and the conclusions of the applicant's BIA have been supported. This is discussed in further detail in paragraphs 6.80 to 6.83.*

## Highways

- Already low levels of parking in the area
- Further exacerbate current problems with parking
- Nuisance from construction vehicles
- Car parking should be within the footprint of the building as rest of the site is open space
- Vibrations from construction vehicles would put strain on roads and Victorian buildings
- Add to congestion in the area – construction vehicles
- Result in traffic, noise and pollution
- 21 dwellings would result in 42 cars in local streets
- Safety of pedestrians and cyclists would be compromised
- Neighbours want guarantee that construction work will not occur outside reasonable hours
- Narrow entrance to site would not support vehicles
- Construction lorries would have to negotiate narrow roads
- Exacerbate traffic and congestion at junction of Croftdown road and York Rise
- Site access too narrow for service vehicles
- There is a public right of way that runs through the back of the site parallel to Laurier Road
- The construction vehicles would endanger local school children
- Construction Working Group will be necessary if permission is granted
- The CMP is insufficient

### Officer Comment

*The scheme has been revised since first submitted and the majority of onsite parking has been omitted. The proposed on site car parking has been significantly reduced for 19 spaces to six (two disabled bays for the residential development and one of the tennis club. The scheme would be car capped to ensure residents cannot park in nearby streets. The vehicular access to the site would remain as existing. It is not considered the proposed development would result in a significant increase in traffic and congestion (there is significant reduction in on site parking spaces). Trips made by construction vehicles would be managed as part of a Construction Management Plan. This is discussed in further detail in paragraphs 6.84 to 6.96.*

## Public Consultation

- Promotion of public exhibitions was minimal
- Posters put up by neighbours were removed

- Camden did not consult everyone that attended a presentation at Parliament Hill school

#### Officer Comment

*Camden sent letters to neighbouring properties and displayed site and press notices. There was extensive community engagement prior to submission of the application including a Development Management Forum on 1<sup>st</sup> October 2014.*

#### Other

- Scheme is motivated by profit
- Only groups to benefit are the developers and the site owners
- High levels of air pollution will get worse
- Loss of trees and already high flood risk
- Too many trees are to be felled including the Silver Birch tree
- The removal of the silver birch tree will harm the outlook from Regency Lawn
- Need for a proposal which engages the potential local community demand for use of the site for leisure activities

#### Officer Comment

*The proposed tree removal and replanting has been assessed by the Council's Tree Officer who has raised no objection. The objections regarding profit for the applicant is not a material planning consideration.*

#### Representations in support:

- Development would be an improvement on run down state of the site
- Open space and affordable housing much needed
- Number of units, footprint, level of affordable housing, Code for Sustainable Homes and provision of leisure space has been well considered
- Sufficient housing, particularly affordable, is lacking in Camden
- Existing site is neither attractive nor well used
- On balance new housing is higher priority
- Support inclusion of social rented housing

## 5. **POLICIES**

### 5.1 **National Planning Policy Framework (NPPF) 2012 London Plan 2015 (consolidated with alterations since 2011)**

#### **LDF Core Strategy and Development Policies (2010)**

CS1 Distribution of growth  
 CS4 Areas of more limited change  
 CS5 Managing the impact of growth and development  
 CS6 Providing quality homes  
 CS10 Supporting community facilities and services  
 CS11 Promoting sustainable and efficient travel  
 CS13 Tackling climate change through promoting higher environmental standards  
 CS14 Promoting high quality places and conserving our heritage  
 CS15 Protecting and improving our parks and open spaces and encouraging biodiversity  
 CS16 Improving Camden's health and well-being  
 CS17 Making Camden a safer place  
 CS18 Dealing with our waste and encouraging recycling  
 CS19 Delivering and monitoring the Core Strategy  
 DP2 Making full use of Camden's capacity for housing  
 DP3 Contributions to the supply of affordable housing  
 DP5 Homes of different sizes  
 DP6 Lifetime homes and wheelchair homes  
 DP15 Community and leisure uses  
 DP16 The transport implications of development  
 DP17 Walking, cycling and public transport  
 DP18 Parking standards and limiting the availability of car parking  
 DP19 Managing the impact of parking  
 DP20 Movement of goods and materials  
 DP21 Development connecting to the highway network  
 DP22 Promoting sustainable design and construction  
 DP23 Water  
 DP24 Securing high quality design  
 DP25 Conserving Camden's heritage  
 DP26 Managing the impact of development on occupiers and neighbours  
 DP27 Basements and lightwells  
 DP28 Noise and vibration  
 DP29 Improving access  
 DP31 Provision of, and improvements to, open space, sport and recreation

**Supplementary Planning Policies**  
**Camden Planning Guidance (CPG)**

CPG1 Design  
 CPG 2 Housing  
 CPG3 Sustainability  
 CPG4 Basement and Lightwells  
 CPG6 Amenity  
 CPG7 Transport

Dartmouth Park Conservation Area Appraisal and Management  
 Statement 2009



Enabling Development and the Conservation of Significant Places by English Heritage.

Localism Act 2011

The Assets of Community Value (England) Regulations 2012

Camden Streetscape Design Manual

Camden's Open Space, Sport and Recreation Study (June 2014).

Pro-active Camden Needs Analysis Sport and Physical Activity (2009)

Pro-active Camden Needs Analysis Sport & Physical Activity for Children and Young People (2014).

## 6. **ASSESSMENT**

6.1 The principal consideration material to the determination of this application and summarised as follows:

- Private Open Space
- Loss of Community Use
- Residential Development
- Affordable housing
- Housing density / mix
- Quality of residential accommodation
- Design and Conservation
- Amenity
- Trees/landscaping matters
- Biodiversity
- Sustainability and Energy Strategy
- Basement excavation
- Transport
- Other matters

### **Private Open Space**

6.1 As outlined in section 1 of this report, the application site, with the exception of the indoor bowling facility building, is designated Private Open Space (POS) as per map 7 of the LDF. In addition it is also recognised that the site is located within an area with an identified public open space deficiency (map 7 of the LDF). Policy CS15 'Protecting and improving our parks and open spaces and encouraging biodiversity' sets out that the Council will "*protect open spaces designated in the open space schedule*" (part a) of the policy). Furthermore the supporting text to the policy details at paragraph 15.5 the overarching value of designated open spaces:

*"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 reduce flood risk by retaining rain water and some are used for growing food. Camden's growth will increase the demand for our open spaces so it is important that we protect our existing parks and open spaces".*

- 6.2 This is discussed in more detail in paragraph 15.6 of the supporting text to the policy:

*"We will not allow development on these open spaces unless it is for limited development ancillary to a use taking place on the land and for which there is a demonstrable need. Extensions and alterations to existing buildings on open space should be proportionate to the size, including the volume, of the original building. We will only allow development on sites adjacent to an open space that respects the size, form and use of that open space and does not cause harm to its whole, appearance or setting, or harm public enjoyment of the space. We will take into account the cumulative impacts of development where appropriate. The poor quality of an open space will generally not be accepted as a reason for its partial development to fund improvements as, once built on, open space is lost to the community for ever".*

- 6.3 Para 15.8 states that the Camden Open Space, Sport and Recreation Study Update 2008 highlights opportunities for improving the quality of open spaces in the borough, including play facilities and sports provision. Para 15.9 recognises that a large proportion of the borough's residents do not have reasonable access to small and local parks and open spaces. Para 15.14 states that the Council will seek to secure public use of open spaces on appropriate sites, for example by providing public access arrangements. Para 15.15 states that the Council seek to provide additional formal and informal play spaces in areas of deficiency.
- 6.4 Policy DP 31 seeks to ensure the *"quantity and quality of open space and outdoor sport and recreation facilities in Camden are increased"* and that *"priority will be given to the provision of publically accessible open space."* Para 31.8 states that the Council will seek open space that is predominantly soft landscaping and not substantially paved. It also states that *"due to the very high demand and limited possibilities to provide new allotments or community gardens, they should be provided wherever possible."* Paragraph 31.10 states that *"the Council will seek opportunities to bring private open space into public use."*
- 6.5 At the regional level the London Plan has both overarching and more specific policies and guidance in terms of development on open space. It is first noted that Policy 1.1 (Delivering the Strategic vision and objectives for London) details that strategically *"Growth will be supported and managed across all parts of London to ensure it takes place within the current boundaries of Greater London without: encroaching on the Green Belt, or on London's protected open spaces"*. More specific reference to open space is outlined in Policy 7.18

(Protecting local open space and addressing local deficiency), with the policy denoting:

*“The loss of local protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate”.*

- 6.6 At the national level the NPPF (2012) makes specific reference to open spaces at paragraph 74:

*“Existing open space, sports and recreation buildings and land, including playing fields, should not be built on unless:*

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- The development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss*

- 6.7 It is acknowledged that there are other overarching policies within the NPPF, most notably to contribute to the achievement of sustainable development, the presumption in favour of sustainable development and the 12 core planning principles specified at paragraph 17 of the NPPF. A number of these core planning principles can be considered applicable to the consideration (both for and against) of this application, most notably:

- Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- Taking account of the different roles and character of different areas;
- Encourage the efficient use of land by reusing land that has been previously developed (brownfield land);
- Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

- 6.8 Mansfield Bowling Club is identified as in Camden's Open Space, Sport and Recreation Study (2008) as a site with the potential for improved site utilisation, potential opportunities for the introduction of other open space uses and has potential to improve site accessibility.

6.9 The proposed scheme would also deliver publically accessible open space on the majority of the site which would be available for use by residents of the development and the local community. The open space would also include a large lawn area with seating areas (approximately 789 m<sup>2</sup>). The northern lawn area would provide space for informal children's play. There would be fixed play equipment and natural play elements along the east of the lawn. The proposed community garden (approximately 250m<sup>2</sup>) would be provided between the tennis courts and the residential development and would also be available to use by the public. The community garden would comprise a central lawn area and two areas of raised planting beds. A shed and compost area would be provided to the east of the gardens and benches and a picnic area are also proposed. Access to the community garden would be controlled and the area would be fenced off from the remaining public space. Although access to the garden will be controlled it would still be available for public use by local residents and the members of the local community. The open space (lawn areas and community garden) would be maintained by a management company appointed by the freeholder. Details of how the gardens would be managed would be required as part of a management plan secured by s106 agreement. The majority of the open space would be soft landscaped with hardstanding providing pathways through the site. The open space and landscaped areas would be maintained by the freeholder of the site. A new footpath is proposed to the north of the site to facilitate public access from Croftsdown Road to the tennis club and public open space. The revisions to the scheme, omitting the residential car parking ensures that there is no loss of open space as the building is limited to the existing building footprint. It is acknowledged that there would be some loss of open space to provide the additional tennis court.

6.10 The table below illustrates the proportion of built and open land as existing and proposed (approx.):

	<b>Existing (m2)</b>	<b>Proposed (m2)</b>	<b>Change (m2)</b>
Built Footprint	1959	1921	- 38
Hardstanding	2635	1021	-1614
Outbuildings	70.7	119	+ 48.3
Open space (private exc. hardstanding parking)	2985	1106	- 1879
Open space (public)	0	2918	+ 2918
Open space (total)	2985	4024	+ 1039
Tennis courts	944	1634	+ 690

6.11 The above table demonstrates that there is a slight increase in the proportion of the site occupied by buildings (+10m<sup>2</sup>) overall. This is a result of the larger tennis pavilion. There is a reduction in the areas of hardstanding and a significant increase in open green space as a result

of the landscaping of the areas currently used for car parking. There scheme will provide a significant amount of publically accessible open space, considering the site does not provide any public open space at present.

- 6.12 The previously refused scheme involved the retention of the clubhouse and the erection of 8 dwellinghouses on the site of the tennis club. This was refused on the grounds that the development would result in the loss of 47% of the designated private open space. The proposed scheme involves building on the footprint of the existing bowls club house and therefore there is no loss of designated open space. It is noted that the lawn areas to the south of the residential development are more likely to be used by the future residents of the development than the public. However it is also considered that the proposal represents an improvement on the existing situation given that the designated open space would not only be retained but also made accessible to members of the public not just members of the tennis club and bowls club.
- 6.13 It is recognised that in accordance with Policy CS 15 the Council will only permit development on designated open space if it is limited development that is ancillary to the use taking place on the land and for which there is a demonstrable need. The residential development is not ancillary to the existing use of the site for Class D2 leisure purposes. The additional tennis court would provide D2 leisure facilities and therefore, whilst it would occupy some of the open space for access and parking purposes, it would broadly comply with Policy CS15. Given the public benefits of the scheme i.e. providing good quality open space and children's play areas for public use in an area that is deficient in public open space, it is considered that, on balance, the proposal complies with Policy CS 15. The proposed building is proportionate to the size of the existing building. In terms of height the proposed building which is part two, part three storey is the same as the existing club house.
- 6.14 The proposal also complies with Policy DP31 which states that the Council will seek opportunities to bring private open space into public use provide new allotments and community gardens.
- 6.15 The existing open space is not considered to be very well maintained, particularly since the Bowling Club ceased operating. The proposed scheme involves provision of lawn areas and community gardens that would be attractive and usable for the local community. Future maintenance and access would be controlled by the recommended S106. Therefore the proposal is considered to comply with the guidance in the NPPF (para 74) in that proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 6.16 It is considered the proposed scheme would deliver better quality open space which is open to the public and allows efficient use of the site.



## **Loss of the sports/leisure use.**

- 6.17 Paragraph 70 of the NPPF seeks to “*deliver the social, recreational and cultural facilities and services the community needs*”. It states that “*planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.*”
- 6.18 Policy CS10 seeks to “*support the retention and enhancement of existing community, leisure and cultural facilities*” and “*facilitate the efficient use of community facilities and the provision of multi purpose community facilities that can provide a range of services to the community as a single, accessible location.*” Paragraph 10.13 states that Camden’s Open Space, Sport and Recreation Study Update 2008 identifies a shortage of indoor sports facilities in the borough. The text provides details of how the Council seeks to address this shortage. Paragraph 10.14 states that the Council and its partners are developing the Sports and Physical Activity Strategy which will outline the vision for how sports and physical activity can be used to maximise opportunities for those who live, work or go to school in the borough. It states that the Sports Strategy will focus on St Pancras and Somers Town, Gospel Oak and Regents Park as these wards have the lowest levels of activity.
- 6.19 Policy CS 15 states that the Council “*will seek to protect existing outdoor sport facilities*” and will “*encourage the improvement of existing facilities*”
- 6.20 Policy DP15 states that “*the Council protect existing leisure facilities by resisting their loss unless;*
- e) adequate alternative facilities are already available in the area and therefore no shortfall in provision will be created by their loss; or*
- f) the leisure facility is no longer required and it can be demonstrated there is no demand of an alternative leisure use of the site that would be suitable.*
- 6.21 The supporting text of the policy states that the Council is opposed to any reduction in the provision of leisure and sports facilities because of the contribution to quality of life and Camden’s cultural character. Where a replacement facility is to be provided the applicant should demonstrate to the Council’s satisfaction, that the replacement facility is the same standard or better than the facilities to be lost.
- 6.22 The site accommodates the bowls clubhouse, a part two, part three storey building which accommodates an indoor bowling facility consisting of a six rink bowling green, associated changing facilities, office, bar and function room. There are also two residential flats within the building ancillary to the leisure/sports use. The bowling club ceased operation in March 2014 and the building is currently in a state of disrepair and in need of significant investment to bring it back into use. There is also an outdoor bowls rink adjacent to the club house which



closed in 2011. At present the bowling green is overgrown and poorly maintained (given the bowls activity has ceased). There are also two clay tennis courts and a club house used by Kenlyn Tennis Club. Use of the courts is for club members only.

- 6.23 The proposed redevelopment of the site would result in the demolition of the existing bowls clubhouse which is in class D2 use. The replacement building would provide residential accommodation (dwellinghouses and flats). Therefore the leisure use within this part of the site would be permanently lost to residential use. The scheme does involve the extension and enhancement of the existing tennis facilities on the site through the provision of new club house facilities. An additional tennis court would be provided and the existing tennis courts would be improved by resurfacing (a site visit established the existing tennis courts are in need of resurfacing).

#### Sport and Leisure Report (SLC)

- 6.24 The Council seeks to protect existing leisure uses and to accept its loss to a non D2 use, the applicant is required to demonstrate that the facilities are no longer needed and there is no demand for a suitable alternative use on the site. The applicant has submitted a Sport and Leisure report, prepared by SLC (dated January 2015) in order to address the requirements of Policy DP15. The focus of the report is assessing the continuation of the existing use and potential alternative leisure uses for the existing building in terms of suitability, supply and demand, and viability. The report has been prepared in accordance with the Sport England Assessing Needs and Opportunities Guidance (ANOG) published in July 2014. This guidance provides a recommended approach for undertaking a robust assessment of need for indoor and outdoor sports facilities which involves:

Stage A: Prepare and tailor the approach

Stage B- Gather information on supply (quantity, quality, accessibility and availability) and demand (local population profile, sports participation, unmet, latent, displaced and future demand, local activity priorities and sports specific priorities)

Stage C: Assessment of the information.

- 6.25 The report firstly assesses the potential for continued use as a bowls club. The report identifies that national participation for indoor bowls is static, in some areas is in decline, and there is a low level of participation (within a 8km catchment area of the site). The limited local demand for indoor bowls is demonstrated by the steadily declining membership figures for Membership Bowls Club (159 members in 2004 to 70 members in 2013). According to Sport England's Design Guidance an indoor bowling facility requires 80-100 members per rink (480-600 members for a six rink club). In terms of local supply there are three indoor bowls clubs within 8km of the site. Two of these clubs responded to a survey and indicated they would have the capacity to take on new members. Therefore is considered there is suitable provision for indoor bowls within the vicinity of the site. The declining

demand and local supply resulted in an unsustainable membership level which exacerbated the poor state of facilities prior to closure in 2014. Significant investment is required to bring the club house back into use and attract members back to the club. The report concludes that without necessary investment or revenue from an alternative uses there is not a sustainable future for Mansfield Bowls Club. This conclusion has been endorsed by the English Indoor Bowling Association (EIBA) Development Manager.

- 6.26 The report assesses the existing tennis facilities on the site; two outdoor shale courts with no cover or floodlighting which are used seasonally. The facilities are operated by Kenlyn Tennis Club which has a stable membership base and is highly valued by local residents. The report includes evidence that tennis is recognised as an important sport locally with above average participation rates. The report recognises that a three court club with enhanced facilities and improved access would benefit the local community. The provision of an additional court would enable the club to accommodate more hours of play and competitive matches without impinging on the amenity of neighbouring residents. It is anticipated that there could be a 50% increase in membership and the facilities would be available for coaching and for casual use on a pay and play basis. The facilities would also be available for use by local schools. The provision of one additional court is in line with the aim for the provision of four additional courts and the retention and upgrading of existing tennis courts across the borough as outlined in Camden's Open Space, Sport and Recreation Study (June 2014).
- 6.27 The report also considers the complementary uses proposed i.e. the public open space and children's play space. Camden's Play Strategy for 2007-2012 seeks to improve children's and young people's opportunities and recognises there is a need for more play space and informal recreation particularly for teenagers. The strategy also recognises that the needs of the children in the immediate vicinity of the site should be considered as a priority. Camden's Open Space, Sport and Recreation Study (2014) states that *'all residents within the Borough should have access to a formal children's play provision within 400m from home.'* The application site lies within a children's playspace deficiency area. The proposed scheme includes provision of natural play area for children which is open to the public.
- 6.28 The report goes on to consider alternative sports or leisure uses for the existing club house site.

#### Athletics

The report states that the provision of an athletic track would not be suitable for this site as such a use is a specialist facility that would need to attract a high volume of users and would need floodlights to maximise usage. There is an existing athletics track in Parliament Hill Fields that caters for this use. Furthermore the site would not be able to accommodate a 400m athletics track.

### BMX track

The site would not be able to accommodate a track 400m in length and is not compatible with nearby residential uses due to potential for noise pollution.

### Cricket pitch

The site would not be able to accommodate a cricket pitch of the requisite size.

### Football pitch

A football pitch would not be able to be accommodated on the site. 5 a side football cages could be accommodated. However their use would require floodlighting to enable use during peak times (evenings). Parking would be required for such a use. This would not be compatible with the residential character of the area.

### Multi Use Games Area (MUGA)

MUGAs are tarmacked courts/pitches that can accommodate a range of outdoor sports e.g. basketball, five a side football and netball. Parking would be required for such a use. Floodlighting would be required to maximise use and the use could generate noise pollution during peak times. This would not be compatible with the residential character of the area.

### Rugby Union Pitch

The site is not large enough to accommodate a full size pitch and the use would require parking on site. The use is not considered compatible with the residential character of the area.

### Sports Hall/Multi use indoor space

A sports hall could accommodate a variety of uses including badminton, basketball, boxing, cricket nets, dance, fencing, futsal, gymnastics, martial arts, netball and table tennis. The report recognises that there is demand for this use. This use would also require parking on site. Such a facility would require a hall similar in footprint to the existing bowls club house. Given the state of the existing building, the conversion of the existing building or demolition and rebuilding of the building would require significant demolition. The report states that significant enabling investment (residential) would be required for such a use as a standalone facility of this type would be unable to generate sufficient revenue to offset the initial investment required. The required enabling development would have to be built on the designated open space which is considered unacceptable. Therefore this use is not a viable or sustainable option.

### Swimming

Swimming is recognised as a popular indoor sport. However a swimming pool would require significant investment and without enabling development the provision and operation of the swimming pool with associated high running costs is not considered to be a viable option. Furthermore the enabling development would have to take

place on the designated private open space which is unacceptable. The report suggests that demand for swimming in this area is high. However there are nine swimming pools/bathing facilities at four sites within a 20 minute walk of the site. There is also a good level of supply of swimming pools in the borough to meet demand.

#### Table Tennis

Table tennis is recognised as a casual recreational activity that requires minimal cost to install and operate. The report concludes there is not significant demand for table tennis. Furthermore table tennis tables are to be installed in Parliament Hill Fields, a 20 minute walk from the site. This is considered sufficient to meet demand in the area.

#### Health and Fitness Facility

Health and fitness facilities are recognised as a high income generator. However the location within a residential area with no street frontage is unlikely to be considered attractive or commercially viable to prospective operators. The report demonstrates that whilst there is demand for such a use in the area, there is also adequate supply of health and fitness facilities in the vicinity of the site including a large gym within 2km.

#### Children's Soft Play

Soft play facilities would be normally accommodated within an indoor facility that would also host other leisure facilities. It is considered that the club house could be converted into a soft play centre although it would require significant parking facilities to ensure it is commercially viable. The report demonstrates that there is high demand for this use in the area due to the growing population of children within the borough. However there are five soft play facilities within a 20 minute drive of the site which is considered to meet local demand.

#### Skate Park

Skate parks can cause significant noise pollution and floodlighting would be required for evening use resulting in light pollution. Therefore the use is considered unsuitable for a residential area.

#### Cinema

Cinemas are generally located in town centres or high streets or sites with significant parking. This location in a residential area with no street frontage and low footfall is not considered appropriate. The provision of a cinema would not be commercially viable in this location. Furthermore high levels of parking would be required and the use could result in noise disturbance as a result of departing customers late at night.

#### Music Venue

A music venue in a residential area with no street frontage and low footfall would not be commercially viable in this location. Furthermore the use could result in noise disturbance as a result of the music and departing customers late at night.

### Theatre

Theatres are normally located in town centres and areas of high footfall. Therefore this location would not be commercially viable. Furthermore to convert the existing building into a theatre would require significant investment and enabling (residential) development would be required.

### Summary

The SLC report demonstrates there is no longer sufficient demand for the existing bowls use. Alternative uses listed above have also been discounted given there is low demand and sufficient supply in the vicinity of the site or the location in a residential area is unsuitable in amenity or financial viability terms. Other uses such as children's play facilities and health and fitness and swimming would not be able to operate in the long term as standalone facilities and would require residential development to enable and support these uses. Residential development on the designated open space is unacceptable in principle. The extension and improvements of the existing tennis facilities are considered beneficial to the local community.

### Independent Review of SLC Report

- 6.29 In accordance with Policy DP 15 the Council must be satisfied that the leisure facility is no longer suitable and there is no demand for a suitable alternative use. The SLC report has therefore been independently reviewed to ensure the argument put forward by the applicant is sufficiently robust. The Council commissioned Knight Kavanagh and Page (KKP) to review the SLC report and specifically address the following issues:
- Whether the conclusion is reasonable based on evidence
  - Whether the evidence is considered to satisfy policy DP15
  - The methodology is acceptable to draw conclusions.
- 6.30 The KKP report (February 2015) concludes that the report by SLC has been undertaken in accordance with Sport England advice and industry best custom and practice. KKP accept that the indoor bowling facility on the site, without significant financial subsidy or facility benefactor, has no likelihood of a sustainable future. Furthermore the loss of the existing bowls use will not have a detrimental impact on the future of indoor bowls in the wider area. KKP consider that SLC make a justifiable case for the extension and improvement of the tennis facilities which would bring long term sustainability to a community club. With regards to the complementary uses i.e. the open space and outdoor children's play facilities proposed KKP recognise that this aspect of the scheme would help meet an identified need in the local area which is deficient in local parks, open space and children's play facilities.
- 6.31 With regards to the alternative uses explored KKP acknowledge that there is sufficient local provision of health and fitness facilities and this use would not fit with the re-provision of the leisure uses now



proposed. KKP also agree with the analysis and conclusions of SLC regarding Children's soft play facilities and table tennis. KKP also accept that there is no unmet demand for swimming in this locality.

6.32 A subsequent letter was received from KKP dated 3 September 2015 following receipt of the Sport England objection. The letter confirms the following:

- There is no prospect of MBC returning to the site and there is no evidence to suggest that demand for bowls will increase to a level of need to reinstate the facility;
- The improvements to the tennis club will enable membership to grow and the club to have a long term sustainable future;
- The proposal is in accordance with NPPF guidance;
- The objection from Sport England is not substantiated with evidence;
- To comply with Sport England requirements a new sports hall must be 34.5m x 20m (1468m<sup>2</sup>);
- To ensure sustainability most sports halls offer health and fitness facilities e.g. weight and cardio rooms, spin and exercise studios;
- There is an existing supply of fitness facilities in this area.
- Without this revenue stream it is unlikely that a stand-alone community sports hall can be cost neutral;
- KKP agree with the conclusion of SLC that the site is unsuitable to accommodate a community sports hall regardless of availability of capital funding,

6.33 KKP agree that the level and nature of the evidence presented by SLC has been completed with due care and diligence and is reasonable in its conclusions and satisfies the criteria in Policy DP15 and the NPPF. KKP conclude that the proposed leisure uses (the community tennis club, parkland and children's play provision) is consistent with Policy DP15 and CS 15.

#### Council's Own Evidence

6.34 Two borough wide needs assessments have been undertaken since 2008 in order to identify gaps in the provision of community sport facilities; *Pro-active Camden Needs Analysis Sport and Physical Activity (2009)* and *Pro-active Camden Needs Analysis Sport & Physical Activity for Children and Young People (2014)*. Neither of these assessments identified a need for bowls in the borough.

6.35 An *Indoor Built Facilities Strategy* is currently being undertaken by KKP with support from Sport England (it should be noted this report is still in draft form and has not yet been published). The strategy seeks to identify gaps in provision and areas of under provision within the borough and includes recommended action plan. The study has identified that there is under-provision of publically accessible sports hall facilities in Camden. To address this shortfall there are several planned approaches including a 4 court sports hall in Kings Cross, an



area that is identified as a strategic priority for new sports hall development to serve residents some of the most deprived wards in the borough with high levels of inactivity. This project is to be funded through the Kings Cross Regeneration scheme. It is noted that the Mansfield Bowls Club site has not been identified in the strategy as a development site for a sports hall for the following reasons:

- The capital investment in such a facility in this location is unlikely to meet the test of operational viability and sustainability;
- This site is not in an optimal location in the borough where under-provision and unmet need are most acute.

Tennis has emerged as a priority sport for the borough in the needs assessments and according to research carried out by Pro-active Camden there is evidence of unmet demand for good quality and affordable tennis facilities. There have been discussions with the operators of the tennis club who have confirmed that they do not object to the proposals affecting the tennis club subject to certain conditions.

### Consultation Responses

- 6.36 There is a significant level of public opposition to the loss of the bowls club house and the existing Class D2 leisure/sports use. Neighbours assert that there is significant demand for a sports hall (for uses including gymnastics and fencing) and a football pitch. The neighbours also question the conclusions of both the SLC and the KKP reports particularly because SLC did not engage with local schools; Brookfield and La Sainte Union. It is understood that the local schools were approached by SLC, however did not provide a response to their questionnaire. It is noted that the Statement of Community Involvement also states that the applicant offered a briefing to Brookfield Primary School, York Rise Nursery School and La Sainte Union Catholic Schools but they did not take up the opportunity for a meeting. Brookfield school have confirmed that the use of the site would greatly enhance their physical education offer. The SLC report established that the continued use of the site for sports use would require significant investment. The neighbours have stated that La Sainte Union (a voluntary aided school) would be interested in investing in the site to provide sports facilities for their own use. However no planning application has been submitted by the school for the Council's consideration to date.
- 6.37 The objections received in relation to the loss of the Class D2 sports use are acknowledged and demonstrate that there is demand for alternative sports facilities among the local community.
- 6.38 The neighbours also state that the provision of 21 residential dwellings cannot be considered 'enabling development'. The Council and the applicant agree that the residential element of the scheme is not to enable the enhancement of the community facilities as was the case in the previous application. This application differs in that the applicant

has sought to demonstrate that the loss of the existing sports/leisure (for bowls) use is acceptable given a decline in demand for that specific use and that alternative uses have been explored and are either unsuitable or unviable. Therefore the applicant asserts that the change of use to residential use is acceptable as part of a wider scheme which delivers other benefits for the local community.

- 6.39 For the Council to accept the loss of the existing leisure use the applicant must demonstrate that the facility is no longer required and that there is no demand for an alternative suitable sports/leisure use. The consultation responses have demonstrated that there is significant demand for sports facilities in this location among the local community. It is also noted that the clubhouse (Class D2) use is valued by the local community hence its designation as an Asset of Community Value in 2013. It is also noted that community groups have expressed interest in purchasing the site to retain the D2 use including a recent offer made in October 2015. However as discussed in paragraph 1.11, the period for which the local community can raise the money to purchase the site has expired. It is not considered that the designation of the site as an ACV would in itself justify the refusal of the application however it is apparent that the premises are valued by the local community.
- 6.40 An objection has been received from Sport England. Whilst not a statutory consultee, Sport England have assessed the proposal against their Land Use Planning Policy Statement 'Planning for Sport Aims and Objectives'. Sport England's primary objectives are to prevent the loss of sport facilities and land and to ensure the best is made of existing facilities in order to maintain and provide greater opportunities for participation and to ensure that facilities are sustainable. They also seek to ensure that new sports facilities are planned for and provided in a positive and integrated way and that opportunities for new facilities are identified to meet current and future demands for sporting participation.
- 6.41 Sport England have objected to the scheme on the grounds that they are unsatisfied that the case has been sufficiently made that the land and buildings should not remain in D2 use for which there is a strategic need. Sport England have stated that unless the Council is fully satisfied that it can deliver all of its sport facility needs on other, already identified sites then the loss of the D2 use does not comply with NPPF paragraph 74 or Sport England Policy.
- 6.42 As the Indoor Facilities Strategy by KKP has not yet been published and adopted it cannot be released into the public domain. Therefore Sport England maintain their objection. However based on the findings of the strategy the Council are satisfied that the planned delivery of sports facilities will address the shortage of sports facilities in locations where they are most needed. The Council's Head of Sport and Physical Activity considers that the grounds of objection from Sport England would not justify refusal of this application in its own right.

### Assessment

- 6.43 This location is not recognised by the Council as an area in greatest need for a sports hall and therefore Council funding would not be directed to upgrading the leisure facilities. Notwithstanding that there is a shortfall within the borough overall. However it is considered that a privately operated sports/leisure facility could potentially be provided on the site and the Council's study recognises a Borough-wide need for sports and leisure provision.
- 6.44 On the basis of the information available (the report by SLC, the independent review by KKP, Camden's own needs assessments and strategies, and information provided by neighbouring residents) it is considered that there is no likelihood of the continued use of the existing club house and outdoor rink for bowls. It has been demonstrated that adequate alternative bowls facilities are available in the area and there will be no shortfall in indoor and outdoor bowls. The SLC report provides a comprehensive list of alternative uses. The report concludes that none are viable without enabling development or suitable for this site. The Council has sought independent advice regarding the future of the leisure facilities which has also concluded that alternative uses are not viable in this location.
- 6.45 It is acknowledged that the applicant, to the Council's knowledge, has not explored the possibility of the provision of a mixed use building with sports facilities at ground or basement and enabling residential accommodation above.
- 6.46 It is also worth emphasising that the consultation responses received do indicate there is significant demand for additional and improved sports facilities, not least from local schools. Moreover, the local community clearly values the facility and have successfully sought its designation as an asset of community value (see paras 1.11-1.12 above). Having regard to the fact that there remains a possibility that an alternative leisure use may be provided if a mixed residential and leisure use building is proposed on the footprint of bowls club building, the Council has sought a financial contribution in lieu of £600,000 towards extension to or enhancement of local indoor sports facilities. Examples of nearby sports facilities that might be upgraded include Highgate New Town Community Centre, approximately 500m away from the application site, or Talacre Sports Centre, approximately a mile from the site. MBC is located within the catchment area of Talacre Sports Centre. The decision on how any monies could most effectively be spent to enhance indoor sports facilities to serve local people would be made in due course by the relevant cabinet member in discussion with Ward councillors. The applicant has agreed to provide this contribution by way of a s106 obligation.
- 6.47 The replacement tennis facilities proposed are considered to be of a higher standard in comparison to the existing facilities on the site and would also be available for use by local schools. It is therefore considered that the scheme will deliver benefits to the local community.

- 6.48 Having regard to the detailed study of the sports use undertaken on behalf of the applicant and the agreed payment in lieu together with the enhanced tennis facilities, the overall proposal is, on balance, sufficient to address the requirements of DP15 and compensate the permanent loss of sports and leisure use at the site.

### **Residential Development**

- 6.49 Policy CS6 regards housing as the priority land use and aims to make full use of Camden's capacity for housing by maximising the supply of additional housing to meet or exceed Camden's target of 5950 homes from 2007 – 2017, including providing 4370 additional self contained homes. Policy DP2 seeks to maximise the supply of additional homes in the borough by expecting the maximum appropriate contribution to supply of housing on sites that are underused or vacant, taking into account other uses that are needed on the site and resisting alternative development of sites considered particularly suitable for housing.
- 6.50 The surrounding area is predominantly residential in character and therefore the provision of additional housing outside the designated open space in this location is considered to be appropriate in land use terms. It is also acknowledged that there are two existing residential units on the site. The proposed scheme involves demolition and redevelopment of the club house to provide a part two, part three storey building comprising 21 residential units (3 x 1 bed, 9 x 2 bed, 3 x 3 bed flats and 6 x 4 bed dwellinghouses).

### **Affordable Housing**

- 6.51 Policy CS6 sets out the policy to secure 50% affordable housing across all new residential development. The policy states that the split between affordable tenures should be 60% social rented housing and 40% intermediate housing. DP3 provides a clear rationale for seeking affordable housing in schemes of 10 or more additional dwellings or 1000m<sup>2</sup> of floorspace (gross external area - GEA). The policy sets out the target for affordable housing is on a sliding scale from 10% for development with the capacity to deliver 10 homes (10%) up to 50% for developments with the capacity to provide homes (50 homes).
- 6.52 The total GEA of new residential floorspace is 3438m<sup>2</sup> is proposed which would require 35% of the proposed floorspace as affordable housing.
- 6.53 The proposed scheme would provide 11 affordable units which is a policy compliant quantum of affordable housing (35%). It is also represents 52% of the total units as affordable. The proposed tenure split is 64% social rent and 36% intermediate:

Unit Type	1b2p (WCH)	1b2p	2b3p	2b4p	3b6	4b	Total
Social Rent	0	0	1	2	3	0	6

Intermediate	1	2	0	2	0	0	5
Market	0	0	4	0	0	6	10

- 6.54 The tenure mix is consistent with the Council's priority for larger social rented family housing. The six social rented units of also of generous size and suitable for families; 80m2 for 2 bed and 105m2 for 3 bed flats. The five intermediate units which would be provided as shared ownership are also considered acceptable in terms of their size; 55m2 for 1 bed and 75m2 for 2 bed flats. The scheme has been designed to incorporate separate cores for each tenure enabling the managing Registered Provider (RP) to control the service provision and resultant charges for affordable housing residents. The entrance to the social rented accommodation would be via the entrance on the western side of the building and the intermediate units would be accessed via the entrance located to the south west of the building. The affordable units would also have access to a separate waste and cycle store.
- 6.55 The applicant has engaged with several RPs operating within the borough who support the proposed layout and the mix of the affordable units.
- 6.56 In terms of the affordable housing provision the Council would welcome this policy compliant scheme which would provide an appropriate number of units and tenure split. The scheme would deliver good quality housing accessible for different groups. The scheme complies with Policy CS 6 and DP 2 and is acceptable in land use terms. The Affordable Housing officer has considered the proposals and considers the scheme is acceptable.

#### Residential Density

- 6.57 The London Plan Density Matrix (Table 3.2) suggests that in an urban area with a PTAL of 3 the density should be 200-400 habitable rooms per ha or 45-120 units per ha. The proposed scheme would incorporate a density of 220 habitable rooms per ha or 45 units per hectare excluding the designed open space on the site . Therefore the proposal complies with the London Plan guidance for residential density.

#### Unit Mix

- 6.58 Core Strategy Policy CS 6 seeks to ensure mixed and inclusive communities and encourages a range of self contained homes of different sizes. Policy DP 5 endeavours to implement this vision by requiring that all development must meet the priorities set out in the dwelling size priorities table and that each new residential development must have a mix of large and small homes. The dwelling size priorities table indicates that there is a high demand and need for 2 bedroom flats and a low demand for 1 bed or studio flats within the borough.
- 6.59 The proposed scheme would deliver 10 market dwellings with 4 x 2 bed flats and 6 x 4 bed dwellinghouses. The provision of two bedroom flats (9 in total) is welcome in accordance with the priority in the



borough. The four bed dwellinghouses are also welcome as they will accommodate large families. It is considered the proposed mix will attract a range of occupiers and contribute to providing a mixed and inclusive community.

- 6.60 Residential development standards are outlined in Camden Planning Guidance (CPG) 2; Housing. The guidance identifies the required unit sizes for new residential development. The proposed development would provide a mix of dwellings sizes including flats and dwelling houses. The following table sets out the proposed minimum unit sizes:

<b>Dwelling size (GEA)</b>	<b>Camden CPG</b>	<b>London Plan standards</b>
1 bed 2 person flat 53m <sup>2</sup>	48m <sup>2</sup>	50m <sup>2</sup>
2 bed 4 person flat 75m <sup>2</sup>	75m <sup>2</sup>	70m <sup>2</sup>
3 bed 6 person flat 105m <sup>2</sup>	93m <sup>2</sup>	86m <sup>2</sup>
4 bed house (Type A) 277m <sup>2</sup>	93m <sup>2</sup>	133m <sup>2</sup>
4 bed house (Type B) 169m <sup>2</sup>	93m <sup>2</sup>	102m <sup>2</sup>
2bed house (Type C) 94m <sup>2</sup>	93m <sup>2</sup>	83m <sup>2</sup>

#### Standard of accommodation

- 6.61 The proposed dwellings all comply or exceed the Camden and London Plan guidance and are considered acceptable in terms of their size. Three types of market dwellings are proposed; Type A and Type B are four bed dwellings, Type C are two bedroom dwellings. The Type A dwellings comprise basement, ground and first floor levels. The basement would provide a gym, cinema and reception room with access to a courtyard/lightwell. The ground floor would provide kitchen/living/dining room with access to a large courtyard to provide private amenity space. The first floor would accommodate four bedrooms, two of which lead to a roof terrace. The type B dwellings have a similar layout to Type A but do not have basements. Type C flats comprise two storeys with bedrooms and courtyard at ground floor and living and kitchen and roof terrace at first floor level. The bedrooms are acceptable in terms of size and all the dwellings have access to adequate private amenity space. The dwellinghouses are dual aspect and would benefit from natural light and ventilation. The proposed dwellings are considered to provide a good quality of accommodation in compliance with CPG 2.
- 6.62 The affordable units are also considered to provide a good standard of accommodation in terms of size. The affordable flats are located in the west of the residential development overlooking the open space and community gardens. The shared ownership flats are located to the



south west of the development and the social rented flats are located to the north west. The ground floor would accommodate 1 x 1 bed, 1 x 2 bed and 1 x 3 bed flats. The one and two bed flats are single aspect and all three of the ground floor flats have access to private amenity space. The first and second floor would accommodate four flats respectively. Two of the flats (2 bed and 3 bed) located on the north west and south west corner of the development are dual aspect. The flats all have private amenity space/terraces. The residents of the dwellings would also have access to communal lawns including the public open space and play space adjacent to the tennis courts. The standard of accommodation is considered acceptable.

### Lifetime Homes

- 6.63 The scheme meets all 16 of the Lifetime Homes criteria. Two of the units (10%) are able to be adapted into wheelchair accessible units including one of the affordable units (1 bed). The applicant has demonstrated that the layout of the flats and houses is acceptable to the satisfaction of the Council's access officer.

### **Design and Conservation**

6.64 Policy CS 14 and DP 24 requires development of the highest standard of design that respects local context and character. Policy DP 25 states that the Council will only permit development that will preserve or enhance the conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. (2).*

- 6.65 The existing structure (Club house) has been identified as making a negative contribution to the character and appearance of the conservation area. In this regard the replacement of this building is welcome in design and conservation terms. The replacement building would be of a similar height and footprint and as such there is no objection in principle to the demolition and redevelopment in terms of scale.
- 6.66 The design of the replacement building is a contemporary residential development which seeks to respond to the positive characteristics and attributes of the predominant traditional housing stock in the area. The proposed scheme is considered to be a high quality development which provides a thoughtful and interesting mix of units and a design that is considered to enhance the character and appearance of the area.
- 6.67 The area of the site, except for the footprint of the existing structure is designated as Private Open Space. The open space to the west of the existing club house is currently an unattractive car park. The proposed

design of the landscaped areas is considered to be a significant enhancement. The northern area of the site (currently the tennis courts and outdoor bowling green) has deteriorated and is in a poor state of disrepair due to a lack of maintenance. The proposed scheme would reinstate the tennis courts and improve the landscaping and green spaces which could be enjoyed by the wider public. The pavilion is considered to be of suitable size and appearance. It is considered the Private Open Space would be preserved and enhanced by the proposed landscaping works.

- 6.68 The proposal is considered to be acceptable in design terms and would comply with Policies CS 14, DP 24 and DP 25. The proposed scheme is considered to significantly improve the appearance of the site whilst maintaining the open space.

### **Residential Amenity**

- 6.69 Policy DP26 seeks to protect the quality of life of occupiers and neighbours by only granting permission that does not cause harm to amenity. In assessing applications the Council will consider the impact of the development in terms of overlooking and privacy, overshadowing and outlook, daylight, sunlight and artificial light levels and noise and vibration.
- 6.70 Objections have been received from neighbours on amenity grounds including impact on privacy, daylight and sunlight.

### **Privacy/Overlooking**

- 6.71 At the most narrow point there is approximately 25m from the balconies to the rear windows of properties in Croftdown Road, 30m to the rear windows in properties in York Rise and 24m to the rear windows in 36 Laurier Road. The existing and proposed buildings abut the rear boundary of 36 Laurier Road. Whilst it is acknowledged that balconies would be introduced in the southern elevation which currently don't exist, it is considered there is sufficient separation distance from the residential development and the surrounding neighbouring buildings to ensure overlooking would not be unacceptable. There could be views from the first floor roof terraces into the rear gardens of Laurier Road. However this would not be any worse than the overlooking that currently exists from rear windows of the neighbouring properties into adjacent rear gardens. Therefore it is not considered that the development would have any adverse impact on the privacy of neighbours.

### **Daylight/Sunlight**

- 6.72 In support of the planning application the applicant has submitted a Daylight/Sunlight report by MTT Sustain (January 2015). The report demonstrates that the proposed flats would receive adequate levels of daylight and the courtyards would receive at least two hours of sunlight, and throughout the day during the summer months. The

report also demonstrates that the daylight and sunlight received by neighbouring properties in York Rise, Croftdown Road, Laurier Road and Dartmouth Park Avenue would not be affected by the proposed residential development. The proposed residential development is the match the existing club house in terms of footprint, mass and height. The building is two storeys close to the boundary with properties in Laurier Road, as is the existing club house building. The higher three storey element (which would replace the three storey element of the existing building) is located at the northern side of the development, at a significant distance from properties in York Rise, Laurier Road and Croftdown Road.

#### Sense of enclosure

- 6.73 As stated above the replacement building is the same height and bulk as the existing building and given the significant separation distance between the development and neighbouring properties it is not considered that there would be any impact in terms of sense of enclosure.
- 6.74 The proposed replacement building which is the same footprint and height as the existing building and is not considered to have any adverse impact on residential amenity.

#### **Trees and Landscaping**

- 6.75 Policy DP 25 seeks to protect trees that contribute to the character of the conservation area. There are 18 trees located within the site, including seven Class B trees and 1 Class A tree. The proposed redevelopment involves the removal of two class B trees and one Class C tree to facilitate development of the additional tennis court, footway and boundary treatment. The trees that are to be removed include a Silver Birch (T1) and a Common Lime (T2) which are Category B large, mature trees. The Category C tree is a sycamore tree (T5). There is also risk of root damage to a Class B and Class C tree. Pruning of the Class A tree is also required.
- 6.76 The Council's Tree officer has reviewed the report and concluded that the removal of the existing trees is acceptable subject to suitable replacement. The removal of the three trees is not considered to have a detrimental impact on the appearance of the site or the conservation area that would not be compensated by replanting. The proposed landscaping is considered to be of a high standard with a broad range of species and plant types detailed. However, whilst there are a high number of replacement trees proposed, the species selected are considered to be of a small/medium ultimate size at maturity. The proposed replacement trees are not considered to be acceptable as the site is of the size that allows for trees of a large ultimate size to be planted. Therefore details of trees of different species that would be suitable for this site are required by the recommended condition.

- 6.77 The scheme involves landscaping the site to provide good quality open space. The Parks and Open Space officer has been consulted and considers that the food growing area adjacent to the properties is a positive proposal, connecting this intended community space to the new homes. A management plan detailing issues such as access controls/public opening times/membership management (and any support proposed to develop the capacity of a group to sustain the area) would be required by condition. A maintenance plan for the open space to ensure it is publically accessible open space in perpetuity is required as part of the s106 legal agreement. The location of the tennis pavilion provides a positive relationship with the space, facilitating dual use as a tennis pavilion and for potential park events. It also offers positive surveillance of the space when in use. The separate path to enable routes into the public space from the south is welcomed, although the south of the site is considered to be heavily dominated by car parking and hard surfacing. However on balance, it is considered that the scheme would deliver good quality landscaped open space that would be attractive to members of the public.

### **Biodiversity**

- 6.78 Policy CS 15 states that the Council seek to protect and improve sites of nature conservation. The applicant has provided a habitat survey which has been reviewed by the Sustainability officer. Further surveys are necessary to establish bat roost in trees and a reptile survey. Conditions are attached to ensure these surveys are carried out prior to the commencement of works.

### **Sustainability**

- 6.79 Policies CS 13 and DP22 promote higher environmental standards in design and construction and provide details of the sustainability standards the Council expects development to meet.
- 6.80 The Energy Strategy submitted demonstrates that the proposal, in accordance with the GLA's energy hierarchy, will achieve a total CO2 emissions reduction of 26.15% below the Target Emission rate in accordance with Building Regulations Part L 2013. Compliance with the new Target Fabric Energy Efficiency. This falls short of the London Plan requirement for 35% reduction but complies with Camden's policy requirement of 20%. In order to address this the applicant proposes an additional 35m2 of solar photovoltaic panels are proposed on the roof which would achieve the 35% reduction. A further sustainability plan is to be secured via s106 agreement.

### **Basement Excavation**

- 6.81 Policies DP 27 and CPG 4 state that developers will be required to demonstrate with methodologies appropriate to the site that schemes for basements the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or cause

other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area.

- 6.82 The scheme involves excavation of a basement level under part of the residential development to provide basement levels (4m deep) for four of the dwellinghouses. The applicant has submitted a Basement Impact Assessment (BIA) in accordance with policy DP27 and the guidance set out in CPG4. The BIA submitted by the applicant have been subject to independent verification. This is owing to the nature of the proposals (the BIA submitted goes beyond the screening stage). Furthermore the Council received objections raising concerns over the structural implications of the basement excavation. In such instances the Council requires all information (subsidised by the applicant) to be verified.
- 6.83 Campbell Reith were instructed by the Council to review the BIA specifically addressing the potential impact on land stability and local ground and surface water conditions arising from basement excavation. Campbell Reith have confirmed that the BIA has been carried out by an engineers with the appropriate qualifications and that the basement will be located within London Clay and the surrounding slopes are stable. The proposed excavation would be a significant distance from neighbouring buildings and the existing Victorian brick sewer and it is not necessary for a Ground Movement Assessment to be undertaken. Campbell Reith confirm that groundwater will not be affected by the excavation and the proposed mitigation measures should control variations in groundwater and that the basement excavation and construction would be carried out using established techniques. Although the proposed development is adjacent to a Local Flood Risk Zone Campbell Reith accept that the risk of surface water flooding is very low.
- 6.84 It is recommended that a basement construction plan is secured via S106 legal agreement to include the additional information required as a requirement for trial excavations, monitoring of the works and also that the developers use reasonable endeavours to reduce the impact of the basement development. A construction management plan (CMP) would also be secured via a S106 legal agreement to ensure the development would not cause undue harm to local amenity. Therefore the development would accord with the objectives of DP27 and CPG 4.

## **Transport**

### **Car Parking**

- 6.85 Policy DP 18 states that the Council will seek to ensure that development provides the minimum necessary car parking provision. The Council will expect Development to be car free in town centres, Controlled Parking Zones and areas which are well served by public transport.
- 6.86 The site is located in the Highgate controlled parking zone (CA-U) which operates between 1000 and 1200 hours on Monday to Friday.



The site is easily accessible by public transport with bus stops located nearby. However the site has a PTAL rating of 3 which means the Council cannot insist on a car free development.

- 6.87 The scheme originally proposed 19 parking spaces for the 21 dwellings. This equates to a provision of 0.9 spaces per dwelling. This can be reduced to 0.67 spaces per dwelling by excluding the disabled parking and visitor parking spaces from the calculation. The existing site has 68 car parking spaces. The scheme originally proposed would have provided 20 car parking spaces. This represents a significant reduction of 48 car parking spaces. However during the consideration of the application the applicant has revised the scheme to omit most of the residential car parking (whilst retaining four on site bays, two disabled bays and one parking space for the tennis club) and to increase the provision of publically usable open space. Whilst the provision of 19 parking spaces would comply with current transport policy, the reduction in on site parking and the increase in open (green) space is welcome.
- 6.88 Objections have been received from local residents raising concerns regarding a potential increase in traffic with cars entering and exiting the site. However the on-site parking represents a significant reduction in the number of vehicles able to access the site.
- 6.89 It is recommended that the scheme is 'car capped' to ensure future residents are prevented from obtaining resident parking permits for on street parking. The applicant acknowledges the need to minimise the impact the development could have on the CPZ and is willing to accept a Section 106 planning obligation in respect of a 'car capped' development. This would address neighbours' concerns over the impact of the development on on-street car parking of which availability is already low. The proposal is in accordance with Core Strategies CS11 and CS19 and Development Policies DP18, DP19 and DP21.

#### Cycle Parking (Residential)

- 6.90 Policy DP 18 (Paragraphs 18.12 and 18.13) requires development to provide cycle parking facilities in accordance with the minimum requirements of Camden's cycle parking standards. We also expect development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan. The proposed residential development consists of 18 units with 2 bedrooms or more and 3 units with 1 bedroom or less. Therefore 39 cycle parking spaces are required to meet the London Plan's minimum cycle parking requirement.
- 6.91 The proposal would provide 52 covered, secure and fully enclosed cycle parking spaces for the residential dwellings. This exceeds the minimum requirement of the London Plan. The proposal would also provide 4 secure cycle parking spaces adjacent to the residential development for visitors. The cycle parking proposals for the residential element of the development are welcomed by Camden as



they will help to encourage cycling as a healthy and sustainable mode of transport. Further details of the specific type of cycle parking facilities are required by condition.

#### Cycle Parking (Tennis Club)

- 6.92 The proposal would include the provision of 10 secure cycle parking spaces for the tennis club. This would consist of 5 Sheffield Stands which would be located adjacent to the new footpath between Croftdown Road and the tennis club pavilion. The proposed level of provision and the type of cycle parking facilities proposed are acceptable in transport terms and would encourage visitors to arrive by bicycle rather than private motor vehicle. Further details of the layout of these stands are required by condition.

#### Construction Management Plan

- 6.93 Policy DP 20 states that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). Camden Development Policy DP21 relates to how a development is connected to the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).
- 6.94 The site is also located in the Dartmouth Park Conservation Area. The development would involve significant demolition, basement excavation and construction work. This would require a large number of construction vehicle trips associated with the removal and delivery of materials and equipment. The proposal is therefore likely to have a significant impact on the local highway network (traffic congestion and road safety issues) and amenity (noise, vibration, air quality). It was noted at pre application stage that this development would require a CMP and a draft CMP has been submitted. Whilst the draft provides useful information, it is noted that a more detailed plan will be required when a contractor is appointed a detail contract is negotiated and a further CMP is required via a s106 agreement.

#### Deliveries and Servicing/Travel Plan

- 6.95 The Transport Statement and servicing management plan submitted in support of the planning application suggest that the proposed delivery and servicing arrangements would have an insignificant impact on the safe and efficient operation of the public highway in the general vicinity of the site. The details provided are considered to be sufficient. A Residential Travel Plan is required at the request of Transport Planning Officers.

#### Highways and Public Realm Works

- 6.96 Policy DP21 states that the Council expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces following development'. The footway and vehicular crossover directly adjacent to the site access on Croftdown Road would be damaged as a direct result of the proposed works. This is acknowledged in the transport statement. Therefore a financial contribution for highway works would be secured by s106 planning obligation to comply with Development Policy DP21.

#### Pedestrian, Cycling and Environmental Improvements

- 6.97 The Council seeks to encourage trips by sustainable modes of transport and undertake minor improvements to pedestrian and cycling facilities in the vicinity of development sites such as this. A financial contribution of £40,000 for Pedestrian, Cycling and Environmental Improvements should be secured as a section 106. The transport statement acknowledges that Brookfield Park, Croftdown Road and York Rise form part of the proposed London Greenway cycle network. These roads are in close proximity to the site. The Council would look to introduce measures to make cycling safer and more comfortable on these roads (e.g. traffic calming/management measures, particularly at junctions).

#### **Other Matters**

#### Camden and Mayoral CIL

- 6.98 The scheme would be subject to Mayoral CIL charged at £50 per m2 of additional floorspace. It is estimated this would amount to £18,860. Furthermore the scheme would also trigger Camden CIL charged at £500m per m2 which will be used to fund infrastructure and support growth in the borough. An informative would be placed on the decision notice advising the applicant of this requirement.

#### Waste Storage

- 6.99 Designated waste stores would be provided for the affordable dwellings and the market dwellings. The details of waste storage are considered acceptable for this scheme.

#### Public Sector Equality Duty

- 6.100 Under the Equality Act 2010 the Council must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not.
- 6.101 The proposal will result in the loss of a sports/leisure facility used by the local community, the bowls club. The applicant has provided a

report which assesses the availability of bowls facilities in the area and identifies that there are three indoor bowls clubs within 8km of the site. Two of which have capacity to take on new members. Therefore is considered there is suitable provision for indoor bowls within the vicinity of the site.

- 6.102 As such, the proposals are considered to meet the diverse needs of its users and positively contribute to the advancement of equality in compliance with the Act.

#### Local Employment and Procurement

- 6.103 In line with Camden Planning Guidance (CPG8), a range of training and employment benefits are to be secured in order to provide opportunities during and after the construction phase for local residents and businesses. This package of recruitment, apprenticeship and procurement measures will be secured via S106 and will comprise:

- Requirement to work to a target of 20% local recruitment, advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely, specified number (to be agreed) of construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's Kings Cross Construction Skills Centre.
- If the build costs of the scheme exceed £3 million the applicant must recruit 1 **construction apprentice** per £3million of build costs, and pay the council a support fee of £1,500 per apprentice as per clause 8.17 of CPG8. Recruitment of construction apprentices should be conducted through the Council's Kings Cross Construction Skills Centre.
- If the value of the scheme exceeds £1million, the applicant must also sign up to the Camden **Local Procurement Code**, as per section 8.19 of CPG8
- The applicant provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.

## **7 Conclusion**

- 7.1 The proposed scheme will provide good quality, well maintained public open space that can be used by the local community as well as the future residents of the site. There would be no loss of open space to buildings as the development would be contained within the footprint of existing buildings on the site with a higher quality building with similar bulk, scale and massing representing an enhance to the character and appearance of the conservation area. The scheme would also provide enhanced community facilities in respect of the Tennis Club and the public open

space, including children's play space in an area which is deficient. Furthermore the scheme would involve the provision of good quality residential accommodation which including 11 affordable units which is the priority use for the Council. The proposals are not considered to have any adverse impact on residential amenity or the highway network. Although the existing sports/leisure facility would not be replaced on site a contribution towards off site sports facilities is welcomed and will enhance the offer of sports facilities which serve the local community. This should go some way in addressing the local demand for alternative sports uses. On balance, it is considered that the overall scheme including the payment in lieu addresses the requirements Policy CS 10, CS 15 and DP15 that seek alternative leisure provision.

7.2 It is therefore recommended that condition planning permission is granted subject to s106 agreement to secure:

- A contribution of £600,000 towards local sports facilities
- Enhancement of the existing tennis facilities in agreement with and affordable to Kenlyn Tennis Club
- Management/Maintenance Plan for the site including the open space
- Provision of 11 affordable flats; 6 social rented and 5 intermediate
- Sustainability Plan
- Construction Management Plan
- Basement Construction Plan
- Construction Working Group
- Residential Travel Plan Statement (TP) and monitoring contribution of £3001.
- Car capped
- A contribution of £40,000 towards Pedestrian, Cycling and Environmental Improvements
- Local procurement code
- Local employment and training including construction apprentice

## 8. **LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

2130 AA4437 F; 2163 AA 437 C; 2187 AA4437 C; 2186 AA4437 C; 2185 AA4437 C; 2159 AA4437 B; 2158 AA4437 B; 2147 AA4437 B; 2146 AA4437 B; 2145 AA4437 B; 2120 AA4437 B; AL4437 2003; A4437-2002; AL4437 2001; AL4437 2000; 2180 AA4437 B; 2175 AA4437 B; 2171 AA4437 C; 2170 AA4437 B; 2164 AA4437 B; 2162 AA4437 B; 2161 AA4437 B; 2160 AA4437 B; 2140 AA4437 B; 2136 AA4437 C; 2135 AA4437 C; 2100 AA4437 B; 2121 AA4437 B; 2111 AA4437 B; 2110 AA4437 B; 2107 AA4437 B; 2106 AA4437 B; 2105 AA4437 B; 2103 AA4437 B; 2102 AA4437 B; 2101 AA4437 B;

- Reason: For the avoidance of doubt and in the interest of proper planning.
- 3 Samples of all new facing materials shall be provided on-site and approved by the Council before the relevant parts of the work are commenced and the development shall be carried out in accordance with the approval given. The facing brickwork must include a 1m x 1m panel demonstrating the proposed colour, texture, face-bond and pointing.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP 24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Detailed drawings of the new external windows and doors including cills, reveals and heads shall at a scale of 1:10 shall be submitted to approved prior to the relevant works taking place.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP 24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No development shall take place until full details of hard and soft landscaping including details of replacement trees and details and location of railings have been submitted to and approved by the local planning authority in writing. Details shall include samples of all ground surface materials and finishes. The details shall also include details of proposals for the enhancement of biodiversity, with particular reference to bats. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, or prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14 & CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 8 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Prior to commencement of development details of a sustainable urban drainage system and scheme of maintenance shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a 1:100 year event with 30% provision for climate change demonstrating 50% attenuation of all runoff, demonstrating greenfield levels of runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.



- 10 Before the development commences, details of the refuse and recycling facilities intended for its occupiers of the residential dwellings and commercial premises shall be submitted to and approved by the local planning authority. The approved facilities shall thereafter be provided in its entirety prior to the first occupation of any of the new dwellings and commercial premises and permanently retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS18 of the London Borough of Camden LDF Core Strategy and DP26 of the London Borough of Camden LDF Development Policies.

- 11 Before the development commences, details of the cycle storage for 52 bicycles for the residential dwellings and 10 bicycles for the tennis club shall be submitted to and approved by the local planning authority. The approved facilities shall thereafter be provided in its entirety prior to the first occupation of any of the new dwellings and commercial premises and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 12 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies

- 13 Before the development commences, details of on site parking spaces for the residential and tennis club, including dimensions of parking bay and turning circles, shall be submitted to and approved by the local planning authority. The approved parking spaces shall thereafter be provided in its entirety prior to the first occupation of any of the new dwellings and permanently retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS18 of the London Borough of Camden LDF Core Strategy and DP26 of the London Borough of Camden LDF Development Policies.

- 15 Prior to implementation, a bat mitigation strategy to include the recommendations made in the Phase 2 ecology survey (Aspect Ecology, Jul 2015) should be submitted to the Local Planning Authority and approved in writing. The development shall thereafter be carried out in accordance with the approved strategy.

Reason: To ensure the development contributes towards the protection of habitats and valuable areas for biodiversity, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 16 The applicant must apply for a European Protected Species Licence from Natural England due to likely evidence of the bat roost. Evidence that the Licence has been granted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the works.

Reason: To ensure the development contributes towards the protection of habitats and valuable areas for biodiversity, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 17 Prior to implementation a method statement for a precautionary working approach to demolition and construction should be submitted to the Local Authority and approved in writing. This shall include

a) detailed proposals for vegetation clearance demonstrating that all removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

b) Precautionary approaches to mitigate the impact on bats and badgers and hedgehogs, including impact of lighting during works.

All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority.

Reason: To ensure the development contributes towards the protection and creation of habitats and valuable areas for biodiversity, ensuring compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 18 Full details of a lighting strategy, to include information about potential light spill on to buildings, trees and lines of vegetation to minimise impact on bats, shall be submitted to and approved by the Local Planning Authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

REASON: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 19 Prior to first occupation of the development a plan showing details of bird and bat and hedgehog box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (Consolidated with Alterations Since 2004) and Camden Planning Guidance 2006 and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 20 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The details shall include species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

#### Informative(s):

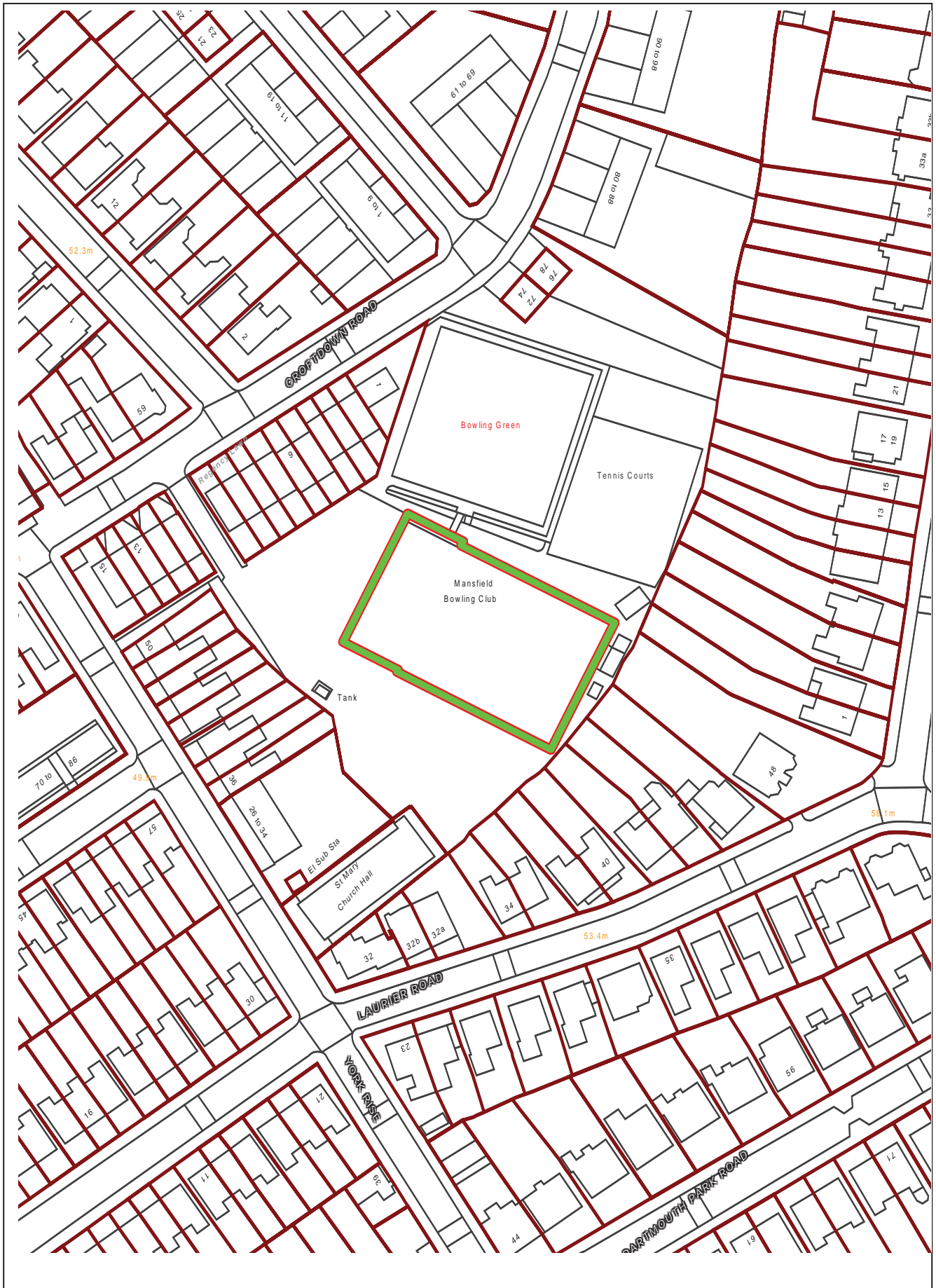
- 1 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £18,860 (377 sqm x £50) for the Mayor's CIL and £188,500 (377sqm x £500/£using the relevant rate for uplift in that type of floorspace ) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 2 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 5 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc., would constitute a material change of use and would require a further grant of planning permission

- 8 You are advised that there are public sewers crossing or close to application site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. You are advised to take account of this minimum pressure in the design of the proposed development.





**Application No: 2015/1444/P**  
**Mansfield Bowling Club, Croftdown Road** □  
**London**  
**NW5 1EP**

**Scale:**  
**1:1250**  
**Date:**  
**30-Dec-15**



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# Mansfield Bowls Club

OS plan





# Mansfield Bowls Club

Aerial Photograph





# Mansfield Bowls Club

Aerial Photo



Club  
House



# Mansfield Bowls Club

## Site Photographs



# Mansfield Bowls Club

## Site Photographs





# Mansfield Bowls Club

Existing site layout



Proposed site layout



## Key

- Hard Surface / Footpaths / Terraces
- Green space
- Buildings
- Leisure and recreation open space



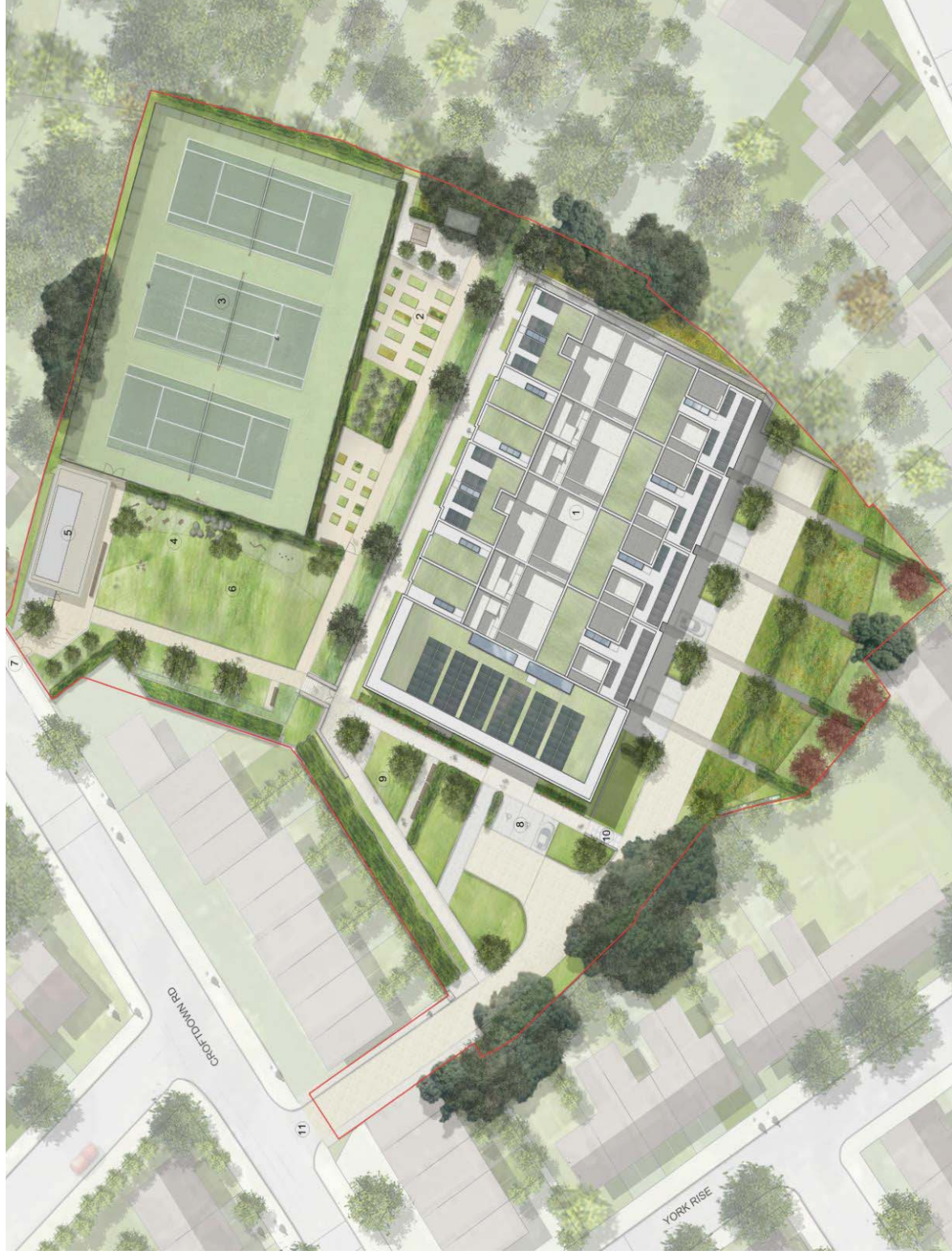
# Mansfield Bowls Club

Refused site layout



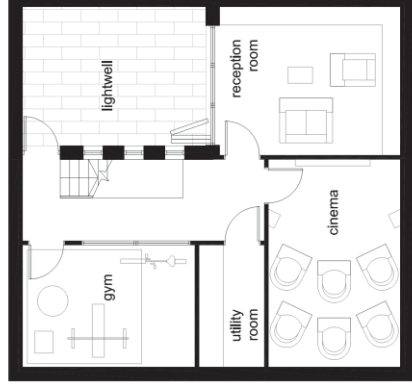
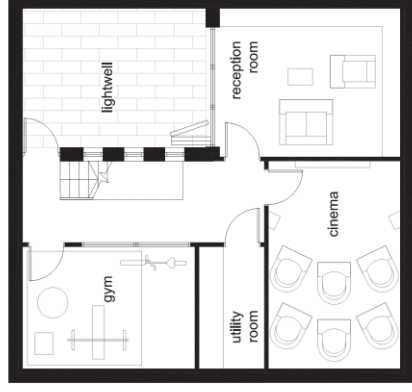
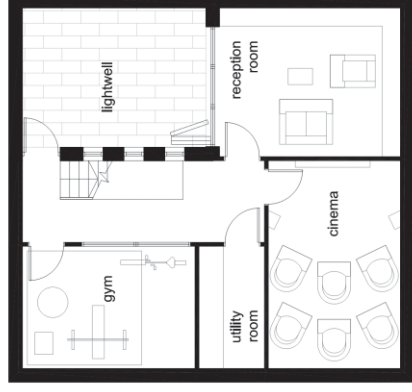
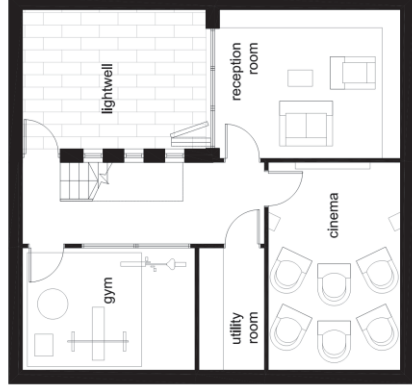
# Mansfield Bowls Club

Proposed Master plan



# Mansfield Bowls Club

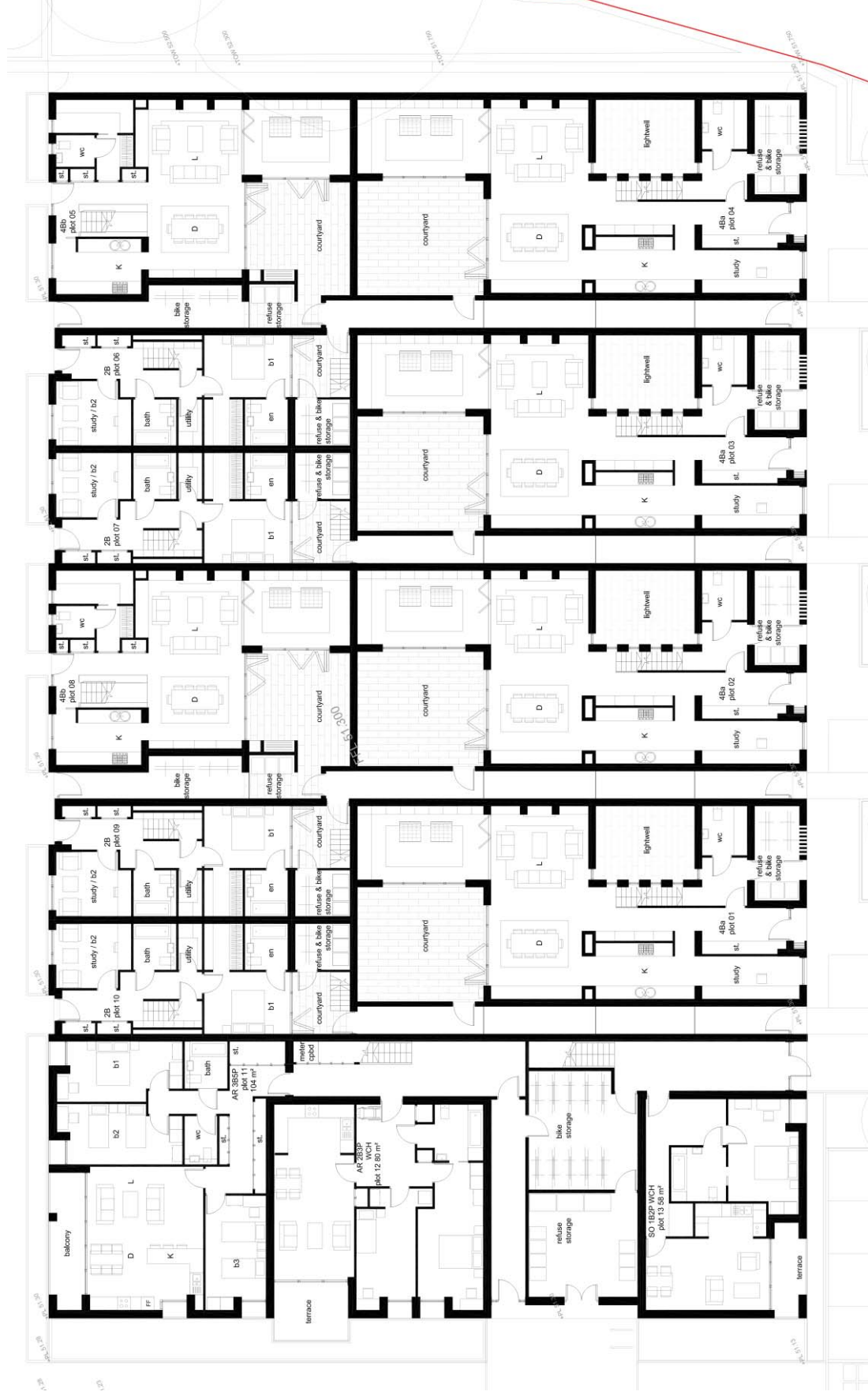
## Proposed Basement Plan





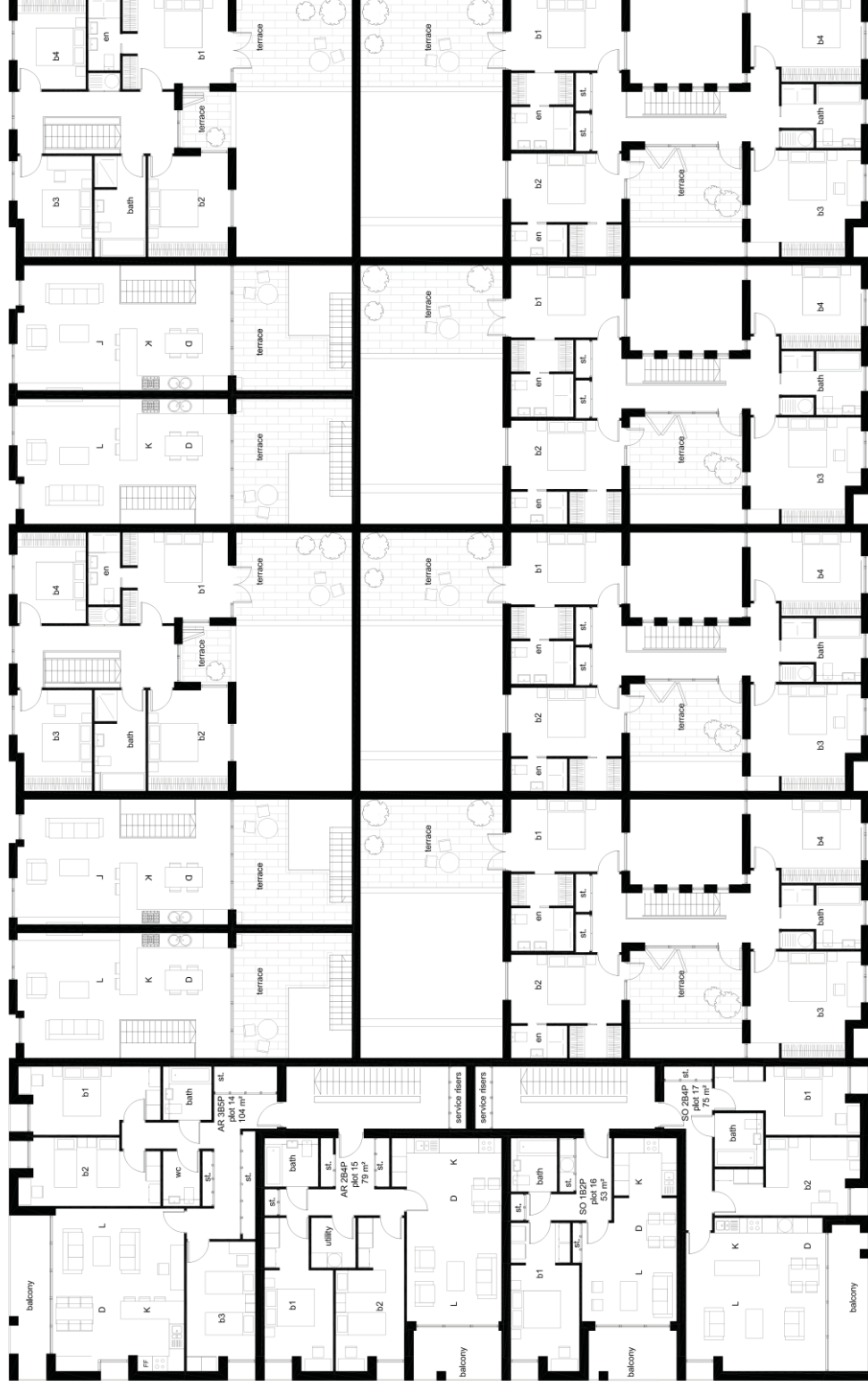
# Mansfield Bowls Club

## Proposed ground floor plan



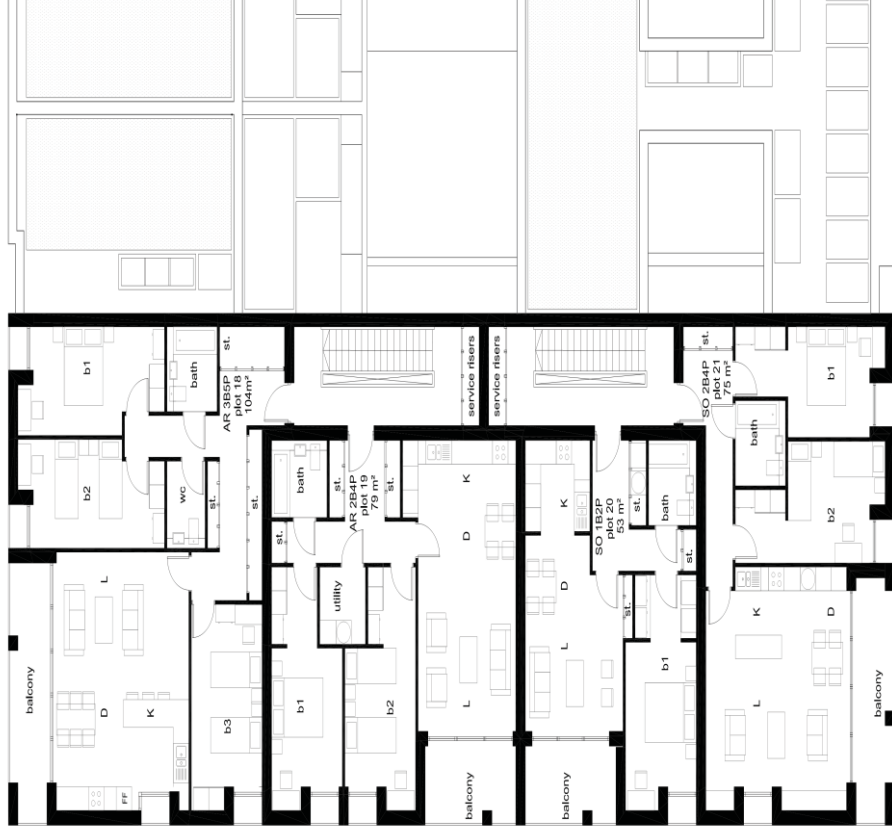
# Mansfield Bowls Club

## Proposed First floor plan



# Mansfield Bowls Club

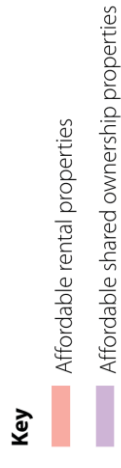
## Proposed Second floor plan





# Mansfield Bowls Club

## Affordable dwellings layout

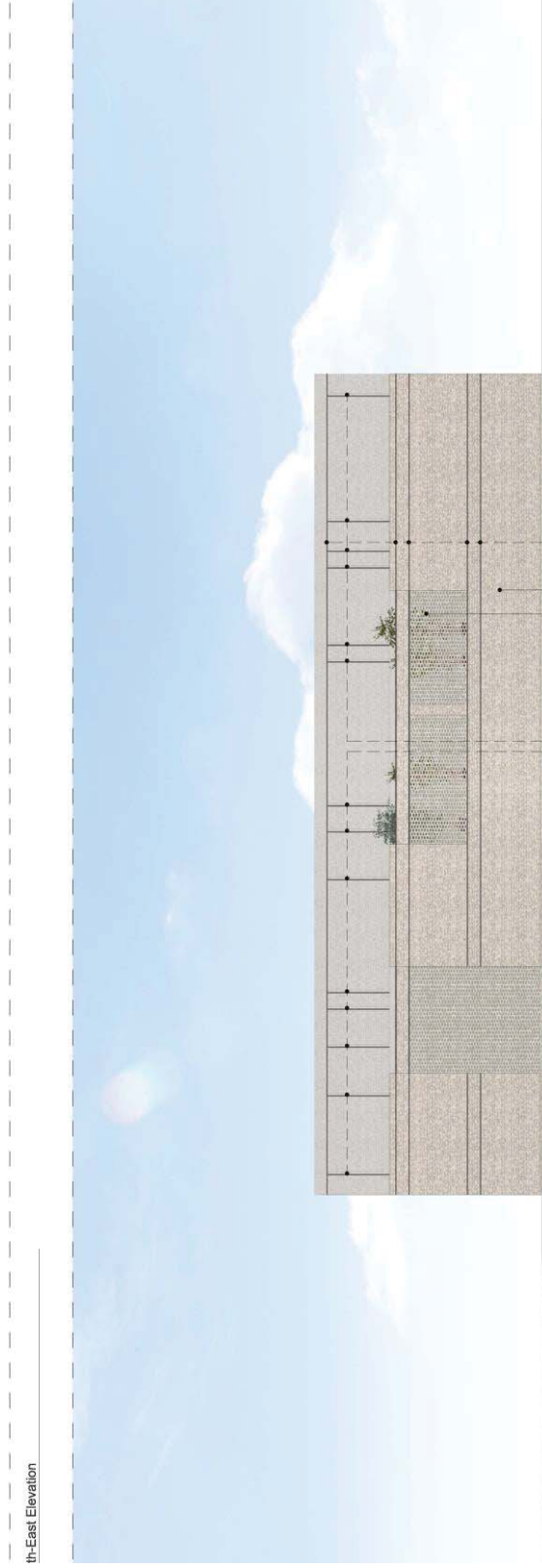


# Mansfield Bowls Club

## Proposed Elevations



North East



South East

# Mansfield Bowls Club

## Proposed Elevations



# Mansfield Bowls Club

## Proposed Sections



ion AA



# Mansfield Bowls Club

## Proposed Sections



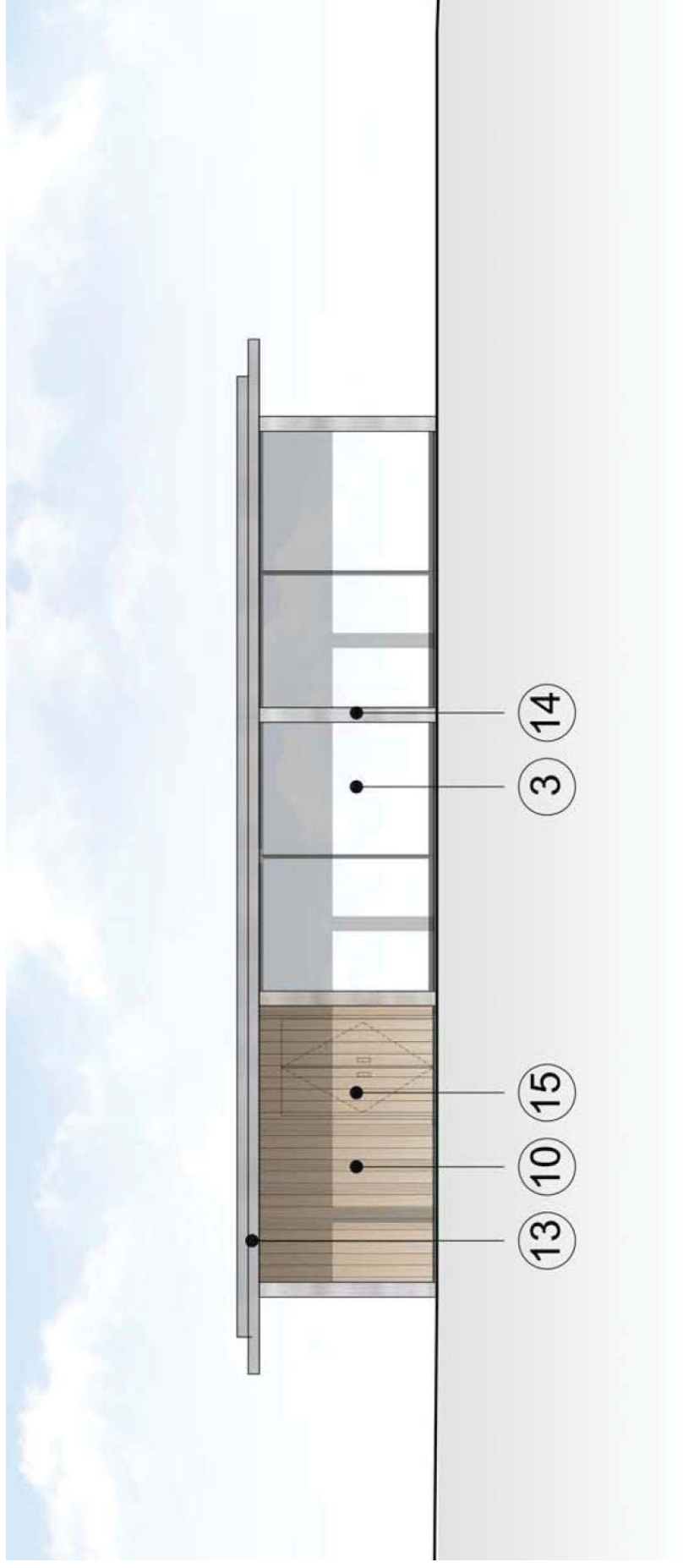
Section CC





# Mansfield Bowls Club

## Proposed Tennis Pavilion





# Mansfield Bowls Club

Proposed Visual

