



Dartmouth Park Conservation Area Advisory Committee

Mansfield Site Pins Reference APP/X5210/W/3153454

We have previously commented extensively on this application. We are here concerned to only amplify matters left out in the interests of brevity or draw attention to materials we rely on.

The character of a conservation area and any area within it is a product of the history of the site and of the resultant function and appearance. Preservation and enhancement must, therefore, relate to both function and appearance.

The current site is part of a larger parcel of land Baroness Burdett-Coutts made available to the local community for recreational use, which included an area for allotments she had provided in 1876. The 1894-96 Edition of the OS shows the extent of the larger site and its use:



The overall site is described by the Garden Trust as follows:

“Upper Drying Ground of Holly Village (q.v.) that had formerly been part of Baroness Angela Burdett-Coutts Holly Lodge estate (q.v.), together with an adjoining field known as Two-Acre Field. The sloping site was part of the substantial area that Baroness Burdett-Coutts had

made available to the local community for recreational use, which included an area for allotments she had provided in 1876. South of the allotments were tennis courts, with a small pavilion built in 1885; in addition to tennis, bowling and croquet were soon played here and Baroness Burdett-Coutts is said to have enjoyed watching the games.”

<http://www.londongardensonline.org.uk/gardens-online-record.asp?ID=CAM010b>

For completeness, the school was handed over to the LCC when the Baroness lost the best part of her Coutts inheritance. A Library was also built on Estate land and completed in the year the Baroness died and is still a Library. The school eventually became what is now the Highgate Newtown Community Centre.

Don't entirely understand the applicants' description of the context. The most significant development of the larger site and immediate neighbour to the application site was the Brookfield Estate. Built in material part on what was originally the community allotment area the Estate and is described on the Garden Trust website as follows:

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

The quasi-rural development was thus very much in keeping with the site and is consistent with earlier Georgian and Victorian periods and similarly emphasised the leafy open character of the Conservation Area.

The Garden Trust website describes subsequent development as follows:

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

The designation also took account of more recent use of the site. As Laurie Handcock accepts, the present building is a dual or even multi-use building. A substantial part of it is devoted to indoor bowling and the rest to a club house, event rooms all serving not only the whole site but also the wider community being let out for weddings etc and with events such as Jazz nights etc. Famously it

was also the base for a masonic lodge. There are also two service flats for staff serving both the club house etc and the wider site.

The designation of the site as an asset of community value is a material planning consideration. A fact now embedded in the upcoming Local Plan.

As will be clear we do not accept what might be called the allegedly defunct sporting facility as a brown field site argument.

However, even accepting this for the purposes of argument, the application is by no means confined to the area covered by the indoor bowling sporting facility but includes

- the club house etc element
- a very substantial area of designated albeit slightly damaged open space used as a carpark for, again, the whole site and acceptable only because the damage isn't permanent and this use is ancillary to the wider social and recreational use of the whole site and
- an area of virgin green space for a replacement club house

The appellants appear to accept that there is a continuing need for the provision of the sort of non-bowling facilities provided by the current building for site and community use. They propose to build a totally inadequate substitute but by using additional virgin green space. This brings the application into conflict with LDF which, essentially, requires such a development not to use additional green space.

(The site plays an important role in flood prevention in an area still liable to flooding. It is important that any development does whatever is necessary to preserve and extend its role in this.)

We have seen no serious attempt to justify using designated open space for private roads, private car parking and private gardens. In our submission this use of designated open space is entirely inconsistent with the provisions of the LDF. Certainly Laurie Handcock offers none.

This brings us to a central difficulty with the appellants' case. The notion of the site vacated by the indoor bowling activity is some sort of brown field site has required that their buildings follow the footprint of the building said to be no longer needed. Their buildings are consequently marooned on an island. The requirement for excellent design simply cannot be met in such circumstances. A point repeatedly made by Officers during the application process. As a consequence, the remaining open space is very poorly used and swathes of open space the site are effectively lost to access.

We are interested that Laurie Handcock appears to be making the argument that this development is intended to be enabling of enhancement because it brings some of the site into public use. Until now the appellants have said it isn't. The proposed development plainly goes well beyond what is required to enable continuing but enhanced community use of the site.

The Planning Authority, urged on by the Advisory Committee, has accepted that a pure enabling development might be acceptable and could be consistent with the provisions of the LDF if it brought a significant private open space into use as a public open space. What the appellants propose hugely exceeds what is required to do that.

That decision of the planning Authority is, of course, what led to the rejection of the application. Since it made it impossible to argue that no viable alternative existed for the site and led to the appellants offering £600,000 for the loss of that opportunity.

In our submission it is entirely artificial to treat the site of even of the indoor bowling lanes outside the actual context in which it is located. It isn't on an exclusive free standing site of its own but part of a larger open space. The approach to this site should be on the basis that the bowling lanes are merely part of a bigger open space which has been in community use for well over a hundred years. The LDF must be read and understood in the light of NPPF paragraphs 76 and 77:

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

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

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

The relevant guidance adds:

“Whether to designate land is a matter for local discretion. For example, green areas could include land where sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis.”

It is notable that the guidance specifically links the concepts of Green Spaces and Assets of Community Value.

We draw attention to possibility of designated ‘green areas’ includes land where there are ‘sports pavilions’. Although designation of the Mansfield site is in the first draft of the Local Plan we obviously can’t argue that this has yet reached the stage where you are required to take heed of the possibility of designation.

It is clear beyond peradventure that there are hugely less unsatisfactory housing type developments options waiting in the wings should the hoped for use of the building area for indoor sport not come to fruition. There is currently an excessive reliance on paper studies. Future applications, with or without community involvement, will finally determine what is possible but one such application will succeed when the site is freed from the current planning blight.

It is our view that the proposed buildings remain unsatisfactorily bulky and lack the transparency typical of the area. Finally, beyond accepting the possible necessity for a much smaller more appropriate enabling development which enables a much more effective use of the site and includes within the equivalent footprint replacement of the club house facilities and doesn’t use large areas of the open space for private car use, as a general proposition we cannot accept the proposition that mere replacement of a negative building with buildings, however much improved in appearance, (and these are insufficiently improved) which are not appropriate to character of the site can properly be said to represent an enhancement to both appearance and character.

For the avoidance of doubt, allowable parking provision within the current LDF does not permit use of designated open space for parking and access roads. Attention is drawn to the much stricture provisions in relation to car free development in the now fairly advanced new Local Plan.

Patrick Lefevre