
From: Jonathan Bor [REDACTED]
Sent: 03 February 2023 09:39
To: Planning Planning
Cc: Camron Aref-Adib (Cllr); Sian Berry (Cllr); Anna Wright (Cllr)
Subject: Objection to planning application number 2022/5320/P (Mansfield Bowling Club site)

[REDACTED]

To: Camden Council, Planning Department

From: Jonathan Bor, 4 Regency Lawn, Croftdown Road, NW5 1HF

Mobile: [REDACTED]

Objection: Mansfield Bowling Club Site: Application for Planning Permission reference 2022/5320/P

Date: 3 February 2023

I write to object to the application for planning permission (PP) with reference 2022/5320/P for a redevelopment of the former Mansfield Bowling Club site in Croftdown Road, NW5.

The application for planning permission for a 78-bed care home at this scale takes insufficient cognisance of the Conservation Area and proposes a scheme that will harm the Conservation Area and local amenities.

In summary it:

- is too big for the site and local services; and is dominating, overbearing and is poorly sited. The permitted replacement for the former Mansfield Bowling Club building had an acceptable impact on the Dartmouth Park Conservation Area by virtue of its replacing an unattractive building with a scheme of the same footprint and bulk as the Club's building. But the current application is for a building 3m (or 30%) taller and with at least a 68.8% increase in floorspace and bulk in comparison with the permitted scheme. This is harmful to the Dartmouth Park Conservation Area, and contrary to Camden Local Plan Policy D2, the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990;

- underestimates the adverse effect on neighbourhood traffic, schools and parking because the Transportation Statement is based on unreliable data and an insufficiently robust methodology;

- deals inadequately with the communal open space element;

- ignores the need for affordable housing and is therefore contrary to the Camden Local Plan Policies H4 and H8;

- presents in some respects unsatisfactory or insufficient explanation on a range of matters which, properly considered in the context of a scheme of this nature in a Conservation Area, merit open and more detailed explanation and elucidation.

I am a resident of Regency Lawn where I live with my family.

I endorse the separate objection lodged by Howard Cole, Town and Country Planning experts, to the proposals, the main elements of which had been conveyed to the developer some months ago - based on draft plans. Those objections were, in substance, ignored.

In relation to the proposed care home, the proposal is inappropriate in scale, siting, height, overlooking, arrangements for vehicle comings and goings, deliveries and loading area, refuse storage, lighting, ventilation, noise, and the impact on highway safety in the immediate and wider area.

In relation to highway safety, the impact on the many substantial and well attended local schools seems to have been ignored - La Sainte Union and Brookfield Park School, (both in Croftdown Road), William Ellis School and Parliament Hill School.

Instead of being protected or enhanced, the Dartmouth Park Conservation Area would be adversely affected.

In relation to the community facilities and garden, the proposal deals inadequately with legitimate concerns about public access, security (in contrast to the full security and operations plan for the private home and security arrangements for the tennis courts) and arrangements for maintenance and management.

Properly managed open space is, in principle, to be welcomed. But the detailed arrangements for the community facilities in a Conservation Area need to be explained and to be open to scrutiny and consultation and to satisfy legitimate public concerns. DPNP is also clear about the need for procedures for the sustainable management and maintenance of open space for the future benefit of the public.

1. SCALE, SIZE AND LOCATION

The present application would involve an inappropriate departure in scale, size and location for the landlocked site (only a part of which is available for development) and the Conservation Area.

Grant of PP would involve a very substantial and harmful overdevelopment of the now open site.

The proposed dominating, overbearing and poorly sited new building would have an adverse impact on our privacy and quiet enjoyment. We will be overlooked and our light will be affected.

The old structure on the site has been removed to preserve PP and therefore it cannot be said to detract from the site today.

The applicant stresses the substantial equivalence of “footprint” of the proposal compared with the extant PP.

However, the existing PP envisages a much smaller 2 storey scheme with only a small third storey element above.

In contrast, the applicant does not explain that the proposed development would be at least 68.8% greater in floor area than the scheme which has current PP.

This is a surprising omission in an application which also purports to measure itself against a benchmark “footprint” referenced to the existing PP.

Nor do the applicant’s drawings disclose the “origin points” for the views it has provided in the application documents. The views presented cannot therefore be fairly evaluated.

Height: The application states the development height at a maximum of 62.7 metres. This is assumed to be an error.

It is clear that - above ground- there are to be 4 floors plus an additional element of some type on top (the additional element appears to be plant and machinery but is not clearly shown).

This letter assumes that the height will be that derived from the drawings provided by the applicant- i.e. a height of 13 metres above ground (before any structure sited on the roof).

If that is correct, then the proposed structure would be a full 30% higher than the scheme with current PP BUT BEFORE any additional height incorporating structures to be sited on the roof (e.g. roof fans and ventilation plant or similar).

The applicant provides incorrect information as to height of the building and no information as to the appearance, additional height, noise or risk of vented odours in relation to the kitchens, waste holding areas (e.g. by basement louvres or by any plant or structure to be sited on the roof).

Size and proximity: The building is too large in mass, too high and too close to the neighbours, especially those in Regency Lawn.

Proximity is justified in the application (p.13 DAS) on the basis that anything beyond 18 metres from window to window is said to be the “developable area” under Planning Guidance.

However, merely identifying and marking out an 18 metre “developable area” line is insufficient to justify the close proximity in this case.

Wider considerations must bear both on the overall siting of the building within the space, and its bulk and height in the Conservation Area.

An application must also recognise that all the living areas of the buildings in Regency Lawn including kitchen, sitting room and main bedroom are, unlike other terraces, designed with a layout and orientation over the backs of the buildings towards the open space; and were turned to “face” away from Croftdown Road. This has not been properly recognised in the application.

The plan does not envisage making use of other available areas on the site to mitigate concerns of proximity.

Overlooking and windows: The building will overlook Regency Lawn and the suggested setting back of the top- fourth- floor does not adequately mitigate this.

The quiet enjoyment of our properties- gardens and living areas- will be lost.

Columns of windows from ground to fourth floor will be sited with views over Regency Lawn and the other elevations. These are the windows for the proposed bedrooms, bathrooms, stairs and stairwells.

This will be an intrusion on privacy. Again, the suggested mitigation and window panels are inadequate.

2. CARE HOME SERVICES AND USE

There would be 78 beds and 25 staff working shifts for 24-hour staff cover.

A new community of at least 100 hundred people (78 residents and 25 full time staff) requiring all associated services appropriate for a substantial care home will be introduced to the Conversation Area.

These service requirements will obviously differ from a conventional residential development, even one approaching 100 residents and the supporting documents for the application confirm this.

The associated services of a care home (described in paras 6.1 and 7.6 of the “CCG Operator Statement”) would include: 24 hour “on site care and nursing provision, a wide range of supporting healthcare specialists, including doctors, nurses, podiatrists and physiotherapists”.

The service provision would also include “ongoing cleaning for all residents’ rooms and bathrooms” as these will not be provided by residents.

No doubt these wide-ranging services would further include visiting hairdressers, maintenance and engineer personnel etc.

One would naturally expect a substantial number of visitors to the home - friends, family and well-wishers.

There is insufficient information in the application on the way all these services and visits might impact on traffic movements, parking, additional visitors and staff (beyond the 25 staff mentioned).

There is insufficient information in the application on the way local medical and primary care services might be affected.

Use:

There is no element of affordable housing proposed. This is contrary to Camden’s Local Plan Policies H4 and H8.

There is certainly no objection in principle to care home use but a care home of this size and scale is not appropriate.

As the Camden New Journal states, this would be a “mini hospital” on 4 floors plus basement It would provide 24 hour care.

As to use, the SM Planning Statement quotes (at para 6.38) the DPNF’s earlier comments that “A care home is an appropriate use provided it does not exceed the size and massing of the current approved development “.

This proviso has been ignored by the applicant as the application is for a “residential institution” of 5,652 sq. m: an increase of at least 68.8% on the scheme with the current PP.

A sensitive, well planned and very much smaller care home which takes proper cognisance of the Conservation Area, planning requirements, the concerns of neighbours and the wider community and the impact on the locality would, I believe, be acceptable.

3. LIGHT POLLUTION

The lighting proposals will cause light pollution at Regency Lawn and all the other neighbouring areas.

Internal lighting is described as “24 Hour lighting to communal entrance halls, lobbies landings, corridors, stairwells and entrance /exit points”. (Chapter 6.10 DAS, “Security Lighting”).

As to external lighting, no form of conventional low level lighting scheme for external lights is envisaged, so the very numerous (over 40 at one elevation alone) external lighting sticks will cast their loom over the area.

(As a subsidiary point: The presence of resident bats was confirmed by the ecological expert.

In view of the adverse effect of artificial lighting on bat populations, are the internal or external lighting requirements of a care home compatible with the continuance of the existing bat population around the site?

There may well be ways of dealing with this- perhaps they could be moved to another part of the site- but boxes alone will not, it seems, suffice to mitigate concerns over light.)

4. KITCHEN, PARKING AREA AND LOADING BAYS

The siting of the loading area and connected refuse storage and kitchens for the “mini hospital” against the backs of residential property is not appropriate for reasons of noise, smell and disturbance.

The care home central refuse storage area (and possibly the kitchen as well) will have louvred vents and it is envisaged that refuse collection will take place once a week. There will be reversing manoeuvres in the loading area.

By reason of this, quiet enjoyment of our gardens and living areas will be lost.

5. HIGHWAY SAFETY, STREET PARKING AND TRAFFIC

There is concern that unless parking and traffic concerns are properly dealt with, there may be staffing issues for a care home and an adverse effect on highway safety.

The parking and traffic aspects- and related impact on highway safety- may have been downplayed.

The work on traffic issues presented in the application appears to have been based on unreliable data.

There are to be 8 parking bays. The 25 staff and all visitors are all to be encouraged to use public transport or active means in accordance with a Transport Plan.

There will be visiting doctors, nurses, physiotherapists maintenance and service personnel, hairdressers, chiropodists etc, all as described above.

The 78 residents would be visited by their respective friends and families. Many of these will wish to visit by car and, for many reasons, may well be unable to use public transport.

A community of 100 people must attract significant volumes of service provider vehicle traffic to the area and the site is expected to generate 18,250 trips per year (50 per day).

There are also the 4 substantial and well attended local schools mentioned above Most have teaching activities over 5 or 6 days a week.

La Sainte Union is not a Saturday music school but is in use for tuition six days a week and receives deliveries at its entrance opposite York Rise.

All schools will surely be affected by the proposals but appear to have been ignored in the consideration of highway safety in the Transport Statement.

It seems most likely that there will be an adverse effect on traffic levels, parking requirements, noise and highway safety that will affect the area from Chester Road to Highgate Road including the length of Croftdown Road, Brookfield Park, Kingswear Road, York Rise, Laurier Road, Dartmouth Park Road and St. Albans Road.

The Transport Statement, which should shine some light, is troubling in its scope, method and conclusions.

A more robust, up to date and wider ranging transport survey must be presented for consultation and public scrutiny for the following reasons:

- the 2014 Transport Statement is not an appropriate departure point as levels of traffic have increased and the 2011 census information used in the statement (para 2.8) is no longer current;
- the 2014 method and scope- adopted without question in 2021- appears to have been very limited and both reports ignore highway safety in relation to the schools in particular;
- all 4 schools are today busy places with numerous pupil and staff drop offs and pick ups; and delivery comings and goings throughout the week;
- the likely impact of the Bertram Street residential development is not taken into account;
- the use made of the TRICS database in this case appears to have been flawed. TRICS maintains a database of health facilities but the 2022 Transport Statement found only one comparable "care home " within Greater London;
- it is inappropriate that the TRICS data on which the conclusions are drawn uses only data from a single care home and that Kingston was excluded;
- no other care homes are considered for comparison purposes despite the HPC home "Needs Assessment" document having identified 7 care homes from Kentish Town through Swiss Cottage to Frognal and Child's Hill, as mentioned on page 25. If these homes are not an available or appropriate source of data from TRICS then comparison should be made with smaller hospitals; and
- the Kingston care home was eliminated for comparison purposes from the Transport Statement without a convincing reason as it had (in para 6.5 Transport Statement) "too much parking and therefore [was] not completely comparable to the development site". The application site has a PTAL rating of 3, Highbury PTAL rating 4 and Kingston PTAL rating 2. Therefore, this is an inadequate explanation for excluding Kingston, whose TRICS data should have been included by averaging with Highbury. Inclusion of Kingston is likely to have resulted in a conclusion that the site requires more parking at the site and/or would produce more traffic than the present conclusions of the Transport Statement.

Reasonable comparisons using wider data sources and sound methods should be made in analysing all the transport and highway safety issues of the proposals.

By limiting the study to 200 metres walking distance (Transport Statement para 2.5, which states this was the limit of the 2014 survey and was also adopted in 2021/2022) is there a risk that highway safety in relation to 4 local schools has been overlooked by the expert?

The Parking Beat survey (para 2.5) was conducted between lockdowns (a limited survey was undertaken on 30 September 21 and on 2 October 2021. It was conducted- understandably- during a brief window of opportunity between lockdowns. That window was on any basis an unrepresentative period and its findings are out of date.

The local roads are very busy at times, in particular by reason of movement associated with the local schools.

The care quality assessment envisages that the site will generate 18,250 trips per year (or 50 per day).

This seems to be at variance with the Transport Statement and to be material to concerns about parking and highway safety. The care quality assessment itself may have underestimated the volume of trips and to have excluded all service related traffic.

Additionally, the predicted transport emissions for air quality as stated in the Air Quality expert's report will exceed the benchmark for an average development of this nature in Inner London (paras 8.3 and 8.9 of the Air Quality Report).

It is not clear that staff can be recruited to work in a care home if they cannot park all day in the immediate vicinity.

There is an existing parking restriction between 10 and 12 in the area. The issues associated with it are in my view likely to be exacerbated by the development.

The locality has its own transport rhythms reflecting attendance at the schools, busy commuter traffic during the week and visitors to the area, including Hampstead Heath and Highgate Cemetery. These are not considered adequately in the Transport Statement.

Overall, the work on parking, traffic and highway safety requires careful re-evaluation as to data sources and method.

The work on transport related matters submitted by the applicant does not underpin the application for PP due to its many defects.

6. SERVICE, REFUSE, ODOURS, VENTILATION AND NOISE

It is, no doubt, for the applicant to present such technical reports as it thinks fit.

In this case the scope and findings of some of the reports is confusing and their interaction is unclear, as explained below.

It is noteworthy that a “light” report was procured to review the effect on neighbours and the locality of the proposed lighting emanating from the care home, both internal and external, (albeit that its findings, the 24 hour lighting and the absence of an appropriate low level lighting scheme are contested above.)

In contrast there is no similar report on the level and effect of noise that will emanate from the care home and affect neighbours and the surrounding area. This is an omission in my view.

It is not clear why the applicant has chosen to treat nuisance by light differently from noise nuisance in presenting reports to support its application.

The relationship between the M&E Services Survey and the KP Acoustics report is also confusing and there appear to be areas of work material to the application which neither report covers, as explained below.

This is in part because the KP Acoustics work was directed overwhelmingly to the concerns of care home residents alone and not also to the concerns of neighbours and local residents.

The service and refuse collection analysis is also based on estimated deliveries and, it seems, also on the unsatisfactory use of the TRICS data.

Additionally, the arrangements for the loading bay and related kitchen and refuse storage areas are not appropriate. Insufficient mitigation is proposed.

The result is that a residential strip (whose living areas are all oriented to the proposed building) would now be brought into close proximity with a tall, bulky and overbearing building separated only by a busy new loading area for the new development - and associated kitchen area and refuse storage area.

The DAS (page 69) describes the loading area as a “back of house delivery entrance” and an “appropriate secondary location”. I cannot agree and this further demonstrates the failure to consider properly the orientation of Regency Lawn.

Quiet enjoyment of our gardens and living areas will be lost.

The loading area will see multiple, noisy comings and goings of vehicles making deliveries and will also be the area for dustbin collections. As the plan accepts, these will require vehicles to reverse.

The kitchen ventilation will be ducted to the roof. It is unclear whether it will also have louvre ventilation at basement level in the same way as the single refuse storage area. No assessment is made on kitchen smells or noise direct from the kitchens or roof vents or other roof plant, insofar as they affect neighbours and the wider locality.

The loading area of the mini hospital is inappropriately sited too close to neighbours.

The noisiest part of the development (kitchen area) is dealt with in an unsatisfactory way with respect to external noise.

The M & E Services Strategy document does not deal in detail with noise abatement and appears to assume this to be contained, instead, in the KP Acoustics Report.

In greater detail:

The M&E Services Strategy document mentions an acoustic silencer for the kitchen, rooftop plant enclosures for heat pumps and acoustic barriers for AHU’s and heat pumps. None of this is properly picked up in the KP Acoustics Report insofar as these may affect neighbours and the locality.

The M&E Services Strategy document refers the reader (page 14 “Acoustics”) to the noise impact assessment expert’s report for “the “remedial acoustic measures” required to meet LA requirements. Those measures are not adequately identified in the KP Acoustics report insofar as noise emanating from the site and affecting neighbours is concerned.

The report of the noise impact expert (KP Acoustics page 10) identifies that the kitchen will be the noisiest single part of the building. No mention is made of the roof installations and vents as the report at para 5.3 is concerned with ensuring that the “internal noise environment is not compromised”.

At page 7, KP Acoustics state that the “resulting noise levels in external amenity areas should not be a reason for refusal, providing that the noise levels are designed to be as low as practically possible”.

This is unsatisfactory and assumes away the very matter that will concern neighbours and local residents with respect to noise emanating from the care home.

The conclusion of KP Acoustics (at page 11) of KP Acoustics) suggests that a robust glazing specification to be proposed would deal with internal noise and that nothing further would be required by way of noise mitigation to protect the proposed habitable spaces from "external noise intrusion".

There is therefore no evaluation in the application documents of the external noise – affecting neighbours and the locality, as opposed to care home residents- likely to be generated by the mini hospital; whether from the kitchen, through the louvres at basement level, the vents or heat pump plant to be sited on the roof of the home, or of any of the associated plant of the building.

And there is therefore no adequate description of the corresponding remedial measures.

Instead, there is reference to guidance principles in para 4 of the KP Acoustics report.

As to odours, the refuse areas are to be "naturally ventilated" using only louvres.

Will these natural ventilation measures simply dissipate odours to the neighbours?

No mitigation measure is described (page14 "Ventilation", M&E Services Strategy document).

The considerations here are that all the refuse of the 78 bed home and kitchens etc. will be collected and held in a single designated holding area (opposite Regency Lawn) with natural through louvre ventilation and the application envisages a refuse collection once a week.

These refuse holding arrangements for the home as a whole are clearly quite different from those pertaining to the residential scheme of individual dwellings for which there is existing PP.

The commercial kitchen (M&E Services Strategy pages 9-10), will have a form of mechanical ventilation with ducting to the roof with "odour and noise abatement as required" and a system of air replacement to "avoid transfer of odour to surrounds areas". If the odour laden air is to be ducted to the roof then this mechanism will seemingly dissipate the kitchen odour to the neighbours via the roof.

No odour abatement for the kitchen or refuse areas is adequately described.

Neighbours wish to understand clearly how the mini hospital's kitchen and refuse areas will, in fact, not simply dissipate kitchen or refuse odours to them.

And no evaluation has been made (as above) of how neighbours might be impacted by the noise of, for example, roof fans or other plant. There will be acoustic attenuation "as required" for roof fans. (page 10 , M&E Services Strategy). This is not picked up by KP Acoustics.

Neighbours and local residents have legitimate concerns at this stage.

This is not fanciful. The former Bowling Club replaced its rooftop fans because of the noise and disturbance of the plant affecting neighbours.

In summary (and leaving aside the often confusing details of the technical reports accompanying the application documents):

- neighbours and local residents want, not unreasonably, to understand what noise and odours the proposed site M&E installations, and ventilation systems (mechanical and louvre) will generate outside the proposed building (including from the kitchen, refuse areas, ground source heat pump and roof installations and vents); and

- what effective mitigation will in fact be applied for this proposed scheme.

They also wish to know what those elements of externally sited plant and equipment and installation (including above the roof) will look like.

The application for PP deals inadequately with all these concerns.

7. COMMUNAL OPEN SPACE, TENNIS COURTS/ PAVILION AND BOUNDARIES

Open space is, in principle to be welcomed, but there are objections as the application is deficient in description and explanation.

The SM Planning Statement deals with this, in part, at paras 5.7, 7.3.10-12 and 7.4.8.10 and describes the proposed "community garden and children's play area" as well as the 3 new courts for the tennis club.

The community garden and children's area are to be adjacent to the tennis courts.

Boundaries: It is not clear where the boundary or fence of the community garden and play area will meet the boundary of the care home. It appears – but is not quite clear – that the boundary of the communal and play area will be at the back of Number 3 Regency Lawn (page 62 DAS).

All boundaries, fences and gates for the entire site should be clearly depicted and plainly identified as such in the application (together with clearly described details of their height and construction). The same must apply for the site's interior "partitions" between care home, tennis club and communal and play areas respectively.

Access and management of communal and play area: The tennis club will be able to control their leased site, with "secure courts and pavilion, with members pay and play users issued with swipe card /pin number for access". (SM Planning Statement, page 21).

DPNP refers specifically to "procedures" for the sustainable management and maintenance of the open space for the future for the benefit of the public. The application does not respond to this.

There is no explanation of how it is proposed that the landlocked private property to be dedicated to the communal open space and play area will be operated, managed and maintained; and at whose cost.

This communal and play area is not visible from the public highway.

For example, will children above a certain age be barred from using the play area (as for the play area on Hampstead Heath)? Who will control this and how?

Will there be effective rules of access or measures to control anti-social behaviour in the communal area; and play area?

Whilst the self-contained site of the care home itself appears to be secure (DAS page 65, "Security"), will the communal area, the boundary between the care home, the communal area and the backs of Regency Lawn and the other neighbours and the public highway also be secure?

The application does not clearly identify these boundaries and divisions or address these areas of concern about access and management of the communal and play areas.

Thank you for inviting responses to the application.