

**From Councillor Sian Berry, Highgate Ward**

**Comments on Planning Application: 2015/1444/P  
Mansfield Bowling Club Croftdown Road**



**I object to the proposals made and urge the Council to reject the application.**

As ward councillor for the area, I have been well aware since before I was elected of the strength of feeling locally towards this open space and the potential for greatly enhanced leisure use if the site were developed more appropriately.

**I strongly support the many eloquent and clearly argued objections from residents, and those from the Croftdown Road Residents Association and the Dartmouth Park Conservation Area Advisory Committee.** I also note the comments made by two members of the committee of the Kenlyn Lawn Tennis Club that the club has not been involved in the development plans, and that the implication made in the application that agreement has been reached with the club on aspects such as the operation of the tennis courts and the terms of the lease are incorrect.

#### **Planning issues and objections:**

##### **1. The site is an Asset of Community Value**

The most crucial planning question is whether the current designation of the site as an Asset of Community Value – its value lying in the fact it is an open space for leisure use – should be set aside to allow the majority of the site to become housing and associated uses (mainly car parking).

The development proposes the loss of the entire indoor sports element of the site as it currently stands, and would irrevocably remove both the clubhouse and car park area from use for either leisure or as a public open space. I believe this is unacceptable.

In order to be approved, it is up to the applicants to show that the designation is no longer applicable and that the site is not viable for leisure use. This they have failed to do – see section 3 below.

##### **2. Camden planning policies also seek to protect open space and leisure facilities**

There are also several Camden Council planning policies that seek to safeguard open space and leisure facilities. The policies include CS15 in the Core Strategy and DP15 in the more detailed development policies. In particular DP15 sets out clear conditions under which the loss of existing leisure facilities may be allowed:

*“The Council will 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 the loss; or  
f) the leisure facility is no longer required and it can be demonstrated that there is no demand for an alternative leisure use of the site that would be suitable.”*

Again, the applicants have failed to show this is the case and, in contrast, local residents have provided a wealth of evidence and testimony that new uses of the site would be highly viable and in demand – see section 3 below.

### **3. Neither of these protections should be overturned**

None of the evidence presented with this application is sufficient to show a lack of viable leisure use for the site. I disagree with the conclusions of the report commissioned by Camden Council, which looked at the Sport and Leisure Report submitted by the applicants – the bare bones of the methodology used might be correct, but no adequate study could possibly have failed to uncover the ample demand for new indoor and outdoor sports venues in the area.

**Almost every resident I speak to about this site has a story to tell about their children, their public service or business, their community group or their sports club having a current or upcoming need for more facilities nearby.**

Indeed, in an earlier application, developers submitted as part of their business plan a report that showed significant demand for leisure use in the area, and proposed a viable mix of indoor activities on the site (though relying too much on indoor bowls for which demand was relatively low). Quoting from the outline of that report, proposed activities were:<sup>1</sup>

***“Programme of activities: [...]  
Indoor Bowls – Club, Competition and Functions  
Over 50’s Club  
Junior Gymnastics  
Dance  
Gymnasium - Health and Fitness  
Group exercise  
Boccia (Paralympic Sport)  
Children’s Sports Parties  
Children’s Holiday Club  
Community Group Hire  
Private Hire  
Martial Arts training”***

The current objections also show that potential users of new facilities for other indoor and outdoor sport and leisure activities are not hard to find:

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<sup>1</sup> Application reference: 2012/6593/P. Link to business plan document, dated November 2012:  
<http://camdocs.camden.gov.uk/webdrawer/webdrawer.dll/webdrawer/rec/2981802/view/>

*“I run a local community sports group (The Brookfield School Footballing Dads) who had to wait over a year for a cancellation of a block booking before we got our current slot at Acland Burghley School.”*

*“I know of 1) Local football teams struggling to find space to train 2) Any gym facilities would be used by three of my family including me.”*

*“I tried to join the bowling club a number of times of the past ten years and was told it was not possible.”*

*“I have taught children who later excelled in tennis and fencing but struggled to travel and find places to train and play sport.”*

Other objectors have submitted a more comprehensive review of options that the developers have failed to uncover in the new report, including for indoor and outdoor football, gymnastics, dance classes and fencing. Nearby local venues for these activities are either oversubscribed or have closed thanks to other developments (not lack of demand), and there are many activities looking for new homes. And while most of these are looking for long-term homes, in the short term, while the Highgate Newtown Community Centre is being refurbished, there will be in addition a whole set of current activities in need of temporary space that could get a new facility off to a flying start in business terms.

Another crucial omission is the lack of consultation with local schools. Both La Sainte Union (secondary) and Brookfield (primary) are in need of more space for sport – indoor and outdoor – and have said they would welcome the ability to help put a development plan together for the site and make use of the space.

## **5. Other planning policies breached**

In addition to my objections above, I believe the proposals also contravene a number of Camden policies, and that they should also be rejected for these reasons:

- **Obstructing light and views for surrounding residents, and impacts on privacy re overlooking:** CS5 – managing the impact of development, DP 26 – impact on occupiers and neighbours, CPG6 – amenity.
- **Impact on transport and pollution.** The site has good access to public transport and therefore should be car free and car capped in order to not contribute to traffic and pollution problems in the surrounding area: CS11 - Promoting sustainable and efficient travel, DP18 - Parking standards and limiting the availability of car parking. CPG7 says, *“We expect car free development in the borough’s most accessible locations and where a development could lead to on-street parking problems”* and many objectors have highlighted the risk of parking issues in surrounding streets with the current plans.
- **Not being in keeping with the surrounding buildings in terms of increased bulk and site occupancy,** causing over-development and harm to the open space: CS14 - promoting high quality places and conserving our heritage, DP24 – securing

high quality design, DP25 – development within conservation areas that preserves and enhances the character and appearance of the area.

## **6. The proposals go far further than an ‘enabling development’ – this should only be allowed if it was needed to ensure leisure use is improved**

I recognise that – especially for an indoor sport venue – improving the site would need investment, and that potentially a small amount of residential space might need to be built and sold (ideally to the Council or a housing association for social housing) in order for the Asset of Community Value to reach its potential for active leisure use.

As local councillor for the area, I would welcome a development that sensitively brought the site into active use again as it would be of great benefit for the local community. However, in my view – and in the light of evidence that the leisure use designation should remain – the creation of new and enhanced leisure space is the only reason for allowing residential development on this site.

I believe any ‘enabling development’ must fulfill three clear criteria:

- There should be no loss of open space, except to indoor leisure use
- Any loss of open space to indoor leisure use should be kept to a minimum
- Any new residential provision should be the minimum necessary to enable the new leisure use to be provided. The test for this should be that all initial profit from the sale of housing should go towards the provision of leisure facilities, and that any ultimate profits for a developer of this site should come from the provision and operation of leisure facilities, not from property development

**With the whole clubhouse site plus car parking and private gardens dedicated to the 21 new housing units in the proposals, the proposals in the application do not meet these criteria and go far further than any true enabling development would.**

The previous application on the site was refused, and the first reason given was overdevelopment of this protected site:<sup>2</sup>

*“The proposed development, by virtue of the scale, nature and location of development on designated Open Space would be lead to a loss of protected land detrimental to the open nature of the site and be harmful to the character and appearance of the surrounding area and this part of Dartmouth Park Conservation Area, and would lead to the loss of land which provides a valuable contribution in terms of health, sport, recreation and play.”*

**This new application still represents unacceptable overdevelopment of the site, far beyond what might be needed to bring it into active use again for leisure. Other developers are very likely to be able to provide a more acceptable proposal, and our open space and our Asset of Community Value should be preserved meanwhile and not lost to this development**

**May 2015**

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<sup>2</sup> Decision notice on application 2012/6953/P