Planning Inspectorate

Appeal Decision

Hearing held on 12 May 2026

Site visit made on 13 May 2026

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2026

Appeal Ref: APP/X5210/W/25/3377057
Former Mansfield Bowling Club, Croftdown Road, London NW5 1EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Harrison Varma Projects Ltd against the decision of the Council of the London Borough of Camden.
- The application Ref is 2022/5320/P.
- The development proposed is redevelopment of the site to provide a 78 bed care home with associated parking, landscaping and communal facilities (Use Class C2) and use of northern part of site as open space including community garden, 3 x tennis courts and tennis pavilion.

Decision

1. The appeal is allowed and planning permission is granted for redevelopment of the site to provide a 78 bed care home with associated parking, landscaping and communal facilities (Use Class C2) and use of northern part of site as open space including community garden, 3 x tennis courts and tennis pavilion at Former Mansfield Bowling Club, Croftdown Road, London NW5 1EP in accordance with the terms of the application, Ref 2022/5320/P, subject to the conditions in the attached schedule.

Preliminary Matters

2. A new local plan for Camden is emerging (the Emerging CLP). It was submitted for examination in October 2025 but, as the agreed and signed Statement of Common Ground[1] (the SoCG) sets out, it has not yet been examined. Consequently, the SoCG also sets out that the Emerging CLP's policies should be attributed limited weight and, with particular regard to the stage at which the Emerging CLP is at, and the potential for its content to change as a result, I agree. As necessary, I refer to the Emerging CLP later in my decision.

3. The site is situated within a conservation area. As a result, in making my decision, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

4. I prepared an agenda for the hearing which set out, at that stage, the wording of my main issues. I made clear during my opening announcement that those main issues or wording may change, depending on matters raised at the hearing and the conclusions I reach afterwards. In the interests of ensuring that they are succinct and focused, I have amended their wording. Therefore, the main issues are:

[1] Statement of Common Ground – V2, by HGH Consulting, dated April 2026

- Whether the development would meet a demonstrable housing need within the London Borough of Camden (the Borough), be targeted at Borough residents and contribute to creating a mixed, inclusive and sustainable community; and
- Whether the development would make appropriate provision for infrastructure and community needs arising from the development and secure necessary mitigation.

Reasons

Whether the development would meet a demonstrable housing need within the Borough, be targeted at Borough residents and contribute to creating a mixed, inclusive and sustainable community

5. Policy H8 of the Camden Local Plan 2017 (the CLP) relates to forms of supported housing - housing which is for older people, homeless people and vulnerable people. In summary, and amongst other matters, Policy H8 seeks to ensure that there is a sufficient supply of appropriate supported housing available to such groups of people to enable them to live as independently as possible, and it sets out that the Council will support the development of a variety of supported housing provided certain criteria are met. These criteria include 'a', which sets out a requirement for the development to meet a demonstrable need within the Borough and for the development to be targeted at Borough residents and, 'd' which requires the development to contribute to creating a mixed, inclusive and sustainable community.

6. Read in conjunction with its supporting text, Policy H8 does not quantify what constitutes a sufficient supply of supported housing for older people, homeless people and vulnerable people. Neither does it prescribe any particular methodologies or means by which a development must demonstrate that it would meet a demonstrable need and be targeted at Borough residents.

7. Content within the Planning Practice Guidance (the PPG) assists with establishing the national picture in respect of the housing needs of older people. The PPG describes the need to provide housing for older people as 'critical', that in mid-2016 there were 1.6 million people aged 85 and over and by mid-2041 this is projected to double to 3.2 million[2].

8. In general terms, the Council accept that there is a need for older persons housing[3]. In response to this need, the development would deliver a 78-bed care home and provide for the Borough one of the forms of supported housing to which CLP Policy H8 refers.

9. Of the appellant's need assessments[4], the LaingBuisson assessment is the more up-to-date. The magnitude of the quantitative care home capacity shortfall it identifies is essentially based on applying national demand levels to Camden. In doing so, I accept that it will not be wholly reflective of Camden's particular demographic profile. Despite this, both the need assessment submissions present that, like the national picture, the proportion of older people in the population in Camden is increasing. Whilst the Council challenge the content of the appellant's need assessment findings, it has not provided me with its own purposely devised and substantive need assessment.

[2] Planning Practice Guidance Paragraph: 001 Reference ID: 63-001-20190626
[3] Council's Statement of Case, dated 17 February 2026 paragraphs 2.9 and 2.59
[4] HPC Care Home Need Assessment, by HPC Healthcare Property Consultants, dated September 2022 and Assessment of Need for and Affordability of a new Care Home for Older People in the London Borough of Camden, by LaingBuisson, dated November 2025

10. Enabling people to live in their own homes, and in forms of supported housing which maximise their independence, is a Council priority, but that does not mean that care homes do not presently, or shall not in the future, play an important role in housing people.

11. The Council assert that there is a surplus of accommodation catering for those with less complex needs, and I note the supporting text to Policy H8 within the Emerging CLP refers to the standard residential care market being saturated[5]. However, that Policy has not been examined yet, nor has the evidence supporting it being proven to be robust. Furthermore, it is an agreed matter that the emerging Policy H8 is a matter of only limited weight[6]. There is an 82-bed care home within the Borough with relatively high voids, however, there could be various factors influencing this. I am not satisfied that the performance of that single care home represents the prevailing market trend, neither does it mean that the care home proposed here is not needed and would not serve a valuable housing purpose.

12. In addition, the appellant has set out that the care home's design would be suitable for those experiencing dementia[7] and, at the hearing, the Council stated that it expected the proposed care home would be suitable to support those with dementia. The supporting text to CLP Policy H8[8] refers to people living with dementia as being a 'high needs' group whilst the Council's Delegated Report refers to dementia as being an example of a specialist and complex need for which there is a lack of facilities within the Borough[9]. Therefore, the care home would provide housing suitable for those with more complex needs and address a deficiency in this regard.

13. Given my findings above, I have no firm basis on which to conclude that the development would be likely to lead to increased vacancies across the care sector, ensuing risks of care provider failure or increased financial burdens on the Council through a requirement to fund the continuation of placement.

14. The care home's design would be suitable to provide both nursing and residential care - indeed, the Council's Delegated Report confirms both are proposed[10]. Individual occupants may transition between residential and nursing care as their care needs change. In the light of this, I consider it important that the care home would have the flexibility to respond to this, and to cater for the particular type of care the occupiers need at different times. In my view, seeking to control the specific number of bed spaces within the care home which are for the purposes of residential care and nursing care via the imposition of a condition, as suggested by the Council, could have adverse consequences on this. I can also envisage circumstances could arise whereby occupants' future at the care home could be in jeopardy because of the rigidity such a condition would exert over the provision of residential and nursing care. Moreover, the evidence informing the particular split between the nursing and residential care indicated as being required by the Council is not compelling, and there is no expressed requirement for such a split within CLP Policy H8. For these reasons, it is not necessary for the development to be subject to a mechanism defining its proportion of nursing and residential care bed spaces.

[5] Emerging CLP Policy H8 supporting text paragraph 7.255
[6] SoCG paragraph 4.4
[7] Statement of Case, by HGH Consulting, dated December 2025 paragraph 4.9
[8] CLP Policy H8 supporting text paragraph 3.216
[9] Delegated Report 2022/5320/P paragraph 3.19
[10] Delegated Report 2022/5320/P paragraphs 3.7 and 3.17

15. In regard to affordable housing, CLP Policy H8 sets out that, in the case of any market-led supported housing development, the Council will expect the development to make a contribution to the supply of affordable housing in accordance with CLP Policy H4, but this is particularly the case where the development includes self-contained homes. Self-contained homes are not proposed in this development.

16. CLP Policy H4 is entitled 'Maximising the supply of affordable housing.' Paragraph 3.82 of its supporting text makes clear that the Policy primarily applies to developments within the C3 and C4 use class types, not C2. Although the supporting text at paragraph 3.83 then still refers to the application of the Policy to the C2 use class, care homes are not the only type of residence which can fall into the C2 use class.

17. To be affordable, the Council assert that a restriction must be applied to the care home's bedspaces such that they would, or a proportion of them would, be aligned with the North Central London minimum sustainable bandings (the NCL bandings). Paragraph 3.84 of CLP Policy H4's supporting text sets out the context for what the Policy's reference to affordable housing means - it concentrates on the National Planning Policy Framework's (the Framework) definition. At the hearing, the Council confirmed that restricting the cost of the care home's bedspaces to the NCL bandings would not fall into one of the Framework's affordable housing glossary definitions. Consequently, restricting the cost of the care home's accommodation in the manner the Council seek does not align with the type of affordable housing CLP Policy H4 refers.

18. Furthermore, paragraph 3.102 of CLP Policy H4's supporting text sets out that the basis for seeking affordable housing provision is aligned with the requirements of the London Plan (the LP). Of the LP Policies which are before me, Policy H12 refers to supported and specialised accommodation, but it makes no reference to affordable housing. Policy H13 of the LP requires specialist older persons housing to deliver affordable housing but, as supporting paragraph 4.13.4 makes clear, Policy H13 does not apply to care homes. Consequently, the LP Policies before me do not require the development to deliver affordable housing.

19. I am also mindful of the submissions made in the appellant's legal opinion on affordable housing[11] which assert that the plan-making process that led to the adoption of CLP Policies H4 and H8 did not include an assessment of care homes or the viability of affordable housing provision in their regards. I have no compelling evidence which refute these assertions, and it provides further contextual evidence that these CLP Policies do not require the delivery of affordable housing in respect of care home developments.

20. For these reasons, I find that the development plan in force does not require the development to provide for affordable housing, including CLP Policy H8, the specific Policy the Council asserts the development conflicts with.

Conclusion

21. In conclusion on this main issue, firstly, the Council accept that there is a need for older persons housing. As a care home, the development would provide older persons housing. The evidence before me that the Borough's standard care home market is saturated is not compelling and, regardless, the proposed care home would be suitable for those with more complex needs. In the context of an increasingly ageing population,

[11] Statement of Case, by HGH Consulting, dated December 2025 Appendix 6: Rupert Warren KC Legal Opinion on Affordable Housing

and one where more complex needs like dementia are increasingly prevalent, the development would address a housing need, and it would be sufficiently targeted at the Borough's residents. In order to comply with the development plan in force, there is no requirement for the development to provide for affordable housing or for its accommodation to be subject to cost cap restrictions.

22. Therefore, the development would meet a demonstrable housing need within the Borough, be targeted at Borough residents and contribute to creating a mixed, inclusive and sustainable community. It therefore complies with Policy CLP H8, which the Council's reason for refusal of relevance to this main issue asserts conflict with.

Whether the development would make appropriate provision for infrastructure and community needs arising from the development and secure necessary mitigation.

23. A completed Section 106 agreement is before me. The planning obligations contained within the Section 106 agreement need to comply with the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and at paragraph 58 of the Framework. The obligations must be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development (the planning obligation tests).

Energy efficiency and low-carbon measures and carbon off-set;

24. Together, in summary and amongst other matters, CLP Policies CC1 and CC2 seek to ensure developments minimise the effects of climate change, adopt sustainable design and construction measures and achieve particular BREEAM assessment ratings. CLP Policy DM1 sets out that planning contributions should be used appropriately to support sustainable development, secure necessary infrastructure, facilities and services, and mitigate development impacts. Meanwhile, LP Policy SI2 requires major developments to minimise carbon emissions and be net-zero carbon or, where the latter cannot be fully achieved, address any shortfall including through a financial contribution in lieu.

25. The Section 106 agreement secures the submission and undertaking of an Energy Efficiency and Renewable Energy Plan, and a Sustainability Plan. These would secure the provision of a package of energy and carbon emission reduction measures, water efficiency measures as well as a post-construction review to ensure implementation and compliance. The Section 106 agreement also secures the Carbon Offset Contribution to address the development's predicted shortfall against a full net-zero carbon achievement. The specific contribution provided through the Carbon Offset Contribution has been calculated utilising a methodology based on the development's carbon emission tonnage shortfall, in alignment with that referred to within Policy SI2 and Camden's Planning Guidance on Energy efficiency and adaptation supplementary planning document.

26. Therefore, the Energy Efficiency and Renewable Energy Plan, Sustainability Plan and Carbon Offset Contribution obligations are necessary to ensure the development complies with CLP Policies CC1, CC2 and DM1 and LP Policy SI2 and each meet the planning obligation tests.

27. The Council's third reason for refusal refers to LP Policy SI3. However, this Policy principally relates to energy infrastructure provision rather than energy efficiency measures in other development. Consequently, Policy SI3 is not relevant to this main issue, and the development does not conflict with it.

Air quality

28. CLP Policy CC4 seeks to ensure that the impact of development on air quality is mitigated, and it sets out that planning permission shall not be granted unless mitigation measures are adopted to address any harmful effects on air quality. LP Policy SI1 demands that developments are at least air quality neutral.

29. The development's vehicular trip generation is predicted to exceed the relevant air quality neutral benchmark. Therefore, the Section 106 agreement's Air Quality Neutral Plan and Air Quality Neutral Offset Contribution obligations are proposed as mitigation. The Air Quality Neutral Plan requires a package of measures to be devised to reduce the development's transport emissions, including through the provision of, and promotion of, electric vehicle charging parking spaces. Whilst this would partly offset the exceedance of the relevant air quality neutral benchmark, a residual exceedance would remain. The Air Quality Neutral Offset Contribution would address this by contributing towards off-site measures to improve local air quality. The evidence before me, including the submitted CIL compliance statement, demonstrates that the Air Quality Neutral Offset Contribution has been calculated by specific reference to Defra's relevant guidance[12].

30. Therefore, the Air Quality Neutral Plan and Air Quality Neutral Offset Contribution obligations are necessary to mitigate the development's specific air quality effects and make the development acceptable in planning terms, compliant with Policies CC4 and SI1. I am satisfied that the obligations meet all the planning obligation tests.

Travel planning

31. CLP Policy A1 relates to the management of development impacts. It seeks to ensure that the transport impacts of development are addressed including through the use of travel plans. The Camden Planning Guidance on Transport is a supplementary planning document (the Transport SPD) and cross-refers to Policy A1, setting out that, in line with that Policy, travel plans will be required for any planning application that will significantly increase travel demand or would have a significant impact on travel or the transport system. The Transport SPD sets out that travel plans shall be secured via a Section 106 agreement and that a further obligation is required to provide a travel plan monitoring and measures financial contribution to enable the Council to monitor and advise on its progression. A related Camden Council advice note[13] details the specific sum necessary to facilitate this monitoring.

32. Also relevant are CLP Policies G1 and A4 which, together, support developments which maximise their transport accessibility credentials and seek to minimise site deliveries and construction phase travel, as well as the aforementioned and summarised CLP Policies DM1 and CC4.

33. Compliant with these Policies and Guidance, the Section 106 agreement's obligations require the Travel Plan to be devised and the payment of the Travel Plan Monitoring Contribution. The latter matches the sum referenced within the Camden Council advice note. These travel plan related obligations are therefore required to mitigate the development's transport-related effects and they meet the planning obligation tests.

34. The Council's sixth reason for refusal refers to CLP Policy T3. However, this Policy principally relates to transport infrastructure, ensuring that strategic infrastructure

[12] Defra guidance Air quality appraisal: damage cost guidance and related Air Quality Damage Cost Update 2025 for Defra
[13] Advice Note on Monitoring and Measures Financial Contribution Secured via Section 106 Agreements, dated April 2023

projects are safeguarded and other infrastructure is protected from removal or severance. Given this, Policy T3 is not relevant to the development or travel planning, and I find no conflict with it.

Car parking

35. The streets in the surroundings of the appeal site are served by delineated parking bays and parking in the area is the subject of a Controlled Parking Zone (CPZ). Between 10am and noon, Monday to Friday, the CPZ generally restricts on-street parking to permit holders only although, within the restricted hours, a limited number of spaces are also available on a pay and display basis.

36. Public transport options in the area include Tufnell Park Underground Station, with bus services available on Swain's Lane and Highgate Road, all within a relatively short walking distance of the site.

37. The development's on-site vehicular parking provision would be limited to a total of 6 spaces. This would include a disabled parking space and an ambulance bay, whilst the remaining 4 spaces would enable electric vehicles to be charged.

38. Policy T2 of the CLP and Policy T6 of the LP are dedicated to car parking. Policy T2 sets out that the Council will limit the availability of parking, require all new developments in the Borough to be car-free and use legal agreements to ensure future occupants are not entitled to on-street parking permits. Policy T2's supporting text explains that Camden is well connected, and it extols the multiple benefits that limiting the opportunities for parking provides.

39. Policy T6 sets out that car-free development should be the starting point for all development proposals well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking. Policy T6 also sets out that disabled and electric vehicle parking requirements should be met by developments, adequate provision made for emergency access, and parking design and management plans provided where developments propose car parking. Like Policy T2, the supporting text to Policy T6 refers to the benefits of limited parking provision.

40. Consequently, together, these dedicated development plan parking policies strongly advocate minimising on-site parking provision. The development's limited and targeted parking provision accords with the objectives and provisions of Policies T2 and T6.

41. The Section 106 agreement includes a series of obligations to control and manage the development's car parking. The Section 106 agreement ensures that occupation of the development would not be permitted should any of the development's occupants hold a parking permit (other than a disabled persons badge) to park within the on-street bays or within a Council controlled car park space. The Section 106 agreement also requires the Car Parking Management Plan to be devised to propose a series of measures to manage the development's parking implications, including setting out the circumstances when the development's on-site parking spaces can be used, and by which parties, together with a requirement for the development's parking demand to be monitored and reviewed following its occupation.

42. The obligations directly address the requirements for car-free or car-capped development and car parking management plans within CLP Policy T2 and LP Policy T6. Without them and contrary to these Policies, the development would provide no mechanism to prevent parking permits being obtained, neither would it be required to

adhere to a car parking management plan. Therefore, the Section 106 agreement's car parking planning obligations adhere to these Policy requirements and meet the planning obligation tests.

43. Despite these obligations, some visitors and staff will still opt to drive, and some additional on-street parking demands would be placed on the area as a result of the development's trip generation and having regard to the CPZ's operational limitations. However, altogether, the development's limited parking provision, the availability of alternative transport options, the effects of the planning obligations, the CPZ and the on-street delineation of spaces leads me to conclude that the visits by car would still be discouraged and the magnitude of any increase in parking demand would not be so significant that it would result in any unacceptable parking stress levels or in effects prejudicial to highway safety.

44. Overall, the development strikes an appropriate balance between minimising on-site parking provision whilst responding to the development's specific operational needs: accounting for shift-working patterns whereupon staff would attend during periods of reduced public transport availability, the need to facilitate access for ambulances and provide electric vehicle charging provision. Had the development accommodated more on-site parking spaces, and sought to ensure more spaces are available for the likes of visitors or staff, this would run contrary to Policies T2 and T6.

45. Therefore, in relation to car parking, the development would make appropriate provision for infrastructure and community needs arising from the development and secure necessary mitigation. The development complies with CLP Policy T2 and LP Policy T6 as a result. It also complies with CLP Policies CC1 and T1, the former of which seeks to minimise the effects of climate change, including by ensuring that developments minimise the need to travel by car, and the latter which promotes sustainable transport through prioritising walking, cycling and public transport including by seeking to ensure that pedestrian and cycling environments are safe.

Employment and training;

46. CLP Policy E1 seeks to create the conditions for economic growth and harness the benefits of it for local residents and businesses, including by supporting employment and training schemes for Camden residents. The Policy's supporting text sets out that suitable developments will be expected to provide training and employment opportunities with large schemes expected to produce an employment and training strategy, secured through a planning obligation.

47. Together, CLP Policies G1 and DM1 seek to ensure that the Council creates the conditions for growth to deliver the jobs to meet Camden's needs, to harness the benefits of development, and to use planning contributions to support sustainable development.

48. Furthermore, amongst other matters, the Camden Planning Guidance on Employment sites and business premises (the Employment SPD) expects developments to contribute to training and employment initiatives through Section 106 agreements where they would have an impact on the availability of jobs for Camden residents.

49. The Section 106 agreement includes employment and training obligations. In summary, these entail the devising of the Employment Skills and Supply Plan, the Local Procurement Plan and adhering to certain workforce and recruitment

commitments. Altogether the key elements of the employment and training obligations include requirements to:

- ensure a proportion of the construction phase workforce comprises of local people;
- provision of 1 construction apprentice (or the payment of the Construction Apprentice Default Contribution in lieu of this);
- provision of 3 construction work placements (or the payment of the Construction Work Placement Default Contribution in lieu of this);
- provide at least 1 operational phase apprentice for a period of 5 years
- provide operational phase work experience opportunities;
- pay the Construction Apprentice Support Contribution;
- adhere to the Local Procurement Plan;
- undertake particular advertising and recruitment measures; and
- monitor and review the measures

50. These obligations align with the detailed requirements contained within the Employment SPD.

51. The inclusion of these obligations means that the development complies with the employment, training and benefit harnessing expectations of CLP Policies E1, G1 and DM1 and the Employment SPD. As a result, the obligations are necessary to make the development acceptable in planning terms, they are directly related to the development, and they are fairly and reasonably related in scale and kind to the development.

Construction management;

52. A number of development plan policies, which are cited within the Council's relevant ninth reason for refusal, relate to the construction phase effects of development and their management.

53. CLP Policy A1 seeks to protect the quality of life of occupiers and ensure mitigation measures where necessary and, within this context, the impacts of the construction phase and the use of construction management plans are specifically referenced. CLP Policy G1 sets out that, in seeking to deliver growth and support development that makes the best use of its site, amenity implications and site surroundings shall be taken into account. CLP Policy A4 seeks to control and manage noise and minimise the impact of deliveries, demolition and construction. CLP Policy T3 seeks to protect highway routes and facilities from development whilst CLP Policy T4 sets out that developments generating significant movement of materials or goods in the construction phase will be expected to provide construction management plans. CLP Policy CC4 seeks to mitigate the impact of development on air quality, and it requires dust mitigation measures, as appropriate, to be secured through construction management plans. Finally, CLP Policy DM1 sets out that planning contributions shall be used to mitigate the impact of development.

54. Furthermore, the Camden Planning Guidance on Amenity (the Amenity SPD) includes a dedicated section on construction management plans. It sets out that they are expected for major developments, must address transport, highways and environmental health impacts, should be submitted after planning permission has been granted and that, in most cases, they should be secured via a Section 106 agreement. The Amenity SPD also makes a reference to obtaining financial contributions towards the costs of reviewing, monitoring and, if necessary, enforcing compliance with construction management plans.

55. The Council has a further construction management plan guidance note[14]. As well as steering construction management plan content, this further guidance note specifies particular financial contribution planning obligations developments are expected to secure. These are in the form of a construction management plan implementation support contribution and a separate construction management plan construction impact bond. The purposes of these financial contributions are to enable the Council to effectively review, monitor and enforce compliance with the construction management plan.

56. Although the construction phase of the development would be temporary, given the development's character and scale in this case, it would involve a quite prolonged period within which the likes of noise, dust, waste and comings and goings, including by large vehicles, would be generated. I am also mindful that representations before me refer to local residents who have asthma. The Section 106 agreement secures the delivery of the Construction Management Plan and, in turn, measures to be deployed so that such effects would be managed and mitigated in order for the development to comply with the aforementioned development plan policies, the Amenity CPD and the Council's further construction management plan guidance note.

57. The Section 106 agreement also includes obligations so that the Construction Management Plan Implementation Support Contribution and Construction Management Plan Bond are paid. The sums of each reflect that which is specified within the further construction management plan guidance note.

58. Therefore, the Section 106 agreement's construction management planning obligations are each necessary to make the development acceptable in planning terms, they are directly related to the development, and fairly and reasonably related in scale and kind to the development.

Open space and tennis facilities management.

59. The Section 106 agreement includes obligations requiring the owner to devise the Open Space Management Plan and the Tennis Facilities Management Plan. The wording of the obligations prevents occupation of the development until each of these management plans have been approved by the Council, and it requires the development to be managed in accordance with their approved content. The Section 106 agreement wording requires each of these management plans to contain particular measures. These measures include those relating to the timescales for the provision of the tennis facilities and the public open space, the details of their operators, funding mechanisms, public access, maintenance, and monitoring and review provisions.

60. Consequently, the Section 106 agreement ensures that management plans are devised which address the delivery and phasing, operational oversight and

[14] Construction/Demolition Management Plan Guidance and Requirements, dated 9 February 2026

management of both the development's tennis facilities and the public open space. Therefore, these obligations will ensure the tennis facilities and public open space are properly managed. Through doing so, the obligations will assist in delivering community facilities of high quality which incorporate measures to mitigate their effects on the living conditions of local residents and maximise their security.

61. In turn, the incorporation of the open space and tennis facilities management obligations means that the development addresses requirements within CLP Policies A1, A4, C1, C5, D1 and DM1, and LP Policies GG1 and D14, which promote and foster health, wellbeing and safety, and seek to ensure that the amenity of communities and occupiers are protected with mitigation measures deployed as necessary.

62. Therefore, the open space and tennis facilities management obligations meet the planning obligation tests of being necessary to make the development acceptable in planning terms, being directly related to the development, and being fairly and reasonably related in scale and kind to the development.

Pedestrian, cycle and environmental improvements;

63. The Section 106 agreement includes an obligation that the owner pay the Council the Pedestrian, Cycling and Environmental Contribution of £78,000 toward the provision of various pedestrian, cycle and public realm improvements in the vicinity of the site.

64. CLP Policy T1 seeks to prioritise walking, cycling and public transport and, in overall terms, it promotes pedestrian, cycling and public transport improvements. However, specific criteria within it in relation to the provision of pedestrian improvements, such as road crossings, sets out that they should be provided where needed. CLP Policy A1 sets out that development which fails to adequately assess and address transport impacts will be resisted, and it requires impact mitigation measures where necessary. This requirement to secure necessary mitigation is also contained within CLP Policy DM1 and LP Policy T4. Therefore, overall, these development plan policies support developments providing for pedestrian, cycle and highway infrastructure improvements but there is an emphasis placed on when it is necessary having regard to highway capacity and development effects.

65. Furthermore, I am mindful that the Transport SPD includes a section on financial contributions for walking, cycling and public realm improvements and that it sets out that financial contributions will be expected to be secured where capacity cannot meet the additional need generated by the development or where the existing transport network cannot safely accommodate the proposed trips to the site. Therefore, the Transport SPD shares the same emphasis as the development plan that mitigation should be sought when necessary.

66. In relation to cycling and pedestrian movement, key relevant and substantive evidence before me, such as the Transport Statement[15], identifies no particular local highway network capacity deficiencies, and, overall, the evidence before me leads me to the conclusion that the local area can safely accommodate the magnitude of the development's pedestrian and cycle trips. Therefore, it has not been demonstrated to me that the Pedestrian, Cycling and Environmental Contribution is required to fund essential and necessary improvements to the local pedestrian and cycling environment.

[15] Transport Statement, by Caneparo Associates, dated November 2023

67. The Section 106 agreement sets out that the various, pedestrian, cycle and public realm improvements to be funded by the Pedestrian, Cycling and Environmental Contribution would correspond with the Dartmouth Park Healthy Neighbourhood Scheme. However, the Council has set out to me a latest position in relation to the progression of the Dartmouth Park Healthy Neighbourhood Scheme - that it has been paused. Instead, the Council has set out that the intention would be that the financial contribution would be used towards the provision of a raised table and zebra crossing near the site and a footpath improvement at the site access. Therefore, there is some conflict between how the Section 106 agreement sets out that the contribution should be used and the Council's stated intentions given what has been outlined to me in relation to the status of the Dartmouth Park Healthy Neighbourhood Scheme.

68. Moreover, I have been informed that the sum of £78,000 has been arrived at following the advice of the local highway authority, and it is based upon the development contributing £1,000 per bedspace. Based on the evidence before me, the method of calculating this contribution is an arbitrary one, and it does not derive from a transparent methodology set out in the likes of a development plan policy, supplementary planning document or other guidance document.

69. Therefore, I have various concerns surrounding the justification for the Pedestrian, Cycling and Environmental Contribution, and conclude that this planning obligation is not necessary to make the development acceptable in planning terms, is not directly related to the development or fairly and reasonably related in scale and kind to the development. In turn, I also find that without this planning obligation, the development remains compliant with CLP Policies T1, A1 and DM1 and LP Policy T4.

Affordable housing

70. The Section 106 agreement includes an obligation on the site owner to pay the Council an affordable housing contribution of £2.86 million. However, in my first main issue, I concluded that the development plan does not require the development to provide for affordable housing and that, without affordable housing provision, the development would meet a demonstrable housing need within the Borough, be targeted at Borough residents and contribute to creating a mixed, inclusive and sustainable community in compliance with CLP Policy H8. Consequently, the affordable housing contribution within the Section 106 agreement is not necessary to make the development acceptable in planning terms. This particular obligation fails to meet all of the planning obligation tests.

Conclusion

71. For the reasons given above, I conclude that the Section 106 agreement's planning obligations relevant to pedestrian, cycle and environmental improvements, and affordable housing do not meet the planning obligation tests. However, each of those that relate to energy efficiency, low-carbon measures and carbon off-set, air quality, travel planning, car parking, employment and training, construction management, open space and tennis facilities management meet them. As a result, the development would make appropriate provision for infrastructure and community needs arising from the development and secure necessary mitigation.

Other Matters

Open space designations

72. The site, except for the former bowling club building footprint, is designated as Private Open Space with the more northerly part of the site also being designated as Local Green Space. Presently, the Private Open Space land includes vegetated areas with trees and hedging but also some expanses of hard surfacing associated with the former bowling club use. The Local Green Space similarly includes soft landscape features as well as the overgrown remnants of the site's former outdoor bowling green and dilapidated tennis courts.

73. By and large the proposed care home building would be sited on those parts of the site where the former bowling club building stood and, thereby, not on the aforementioned designated land. Some built development within the Private Open Space would arise from the southernmost projections of the care home and associated infrastructure such as parking. However, some of the latter would be sited in the position already taken up by hard surfacing. The Local Green Space would principally contain the proposed tennis facilities, a children's play area and landscaping.

74. Consequently, the built incursions of the development into the land designated as Private Open Space would be limited whilst the Local Green Space would, reflective of the site's past use and evidence on site today, be principally reserved for sport and recreation.

75. The site is one of the specific neighbourhood sites to which Chapter 9 of the Dartmouth Park Neighbourhood Forum Neighbourhood Plan relates (the NP). At paragraph 9.34 a series of principles are set out which development of the site is expected to follow. The development would not meet all of them: the care home would not provide a type of housing suitable for the likes of teachers, nurses and other medical staff whilst, given its overall greater scale and mass, the development's density would exceed that previously granted planning permission at appeal[16]. However, importantly, paragraph 9.2 makes clear that these Chapter 9 principles do not actually form part of the development plan. They are not part and parcel of NP Policy ES1, which concerns open spaces.

76. Therefore, because of the development's design – principally that confinement of much of the built development to the footprint of the former bowling club building and the provision of sports and recreation facilities on the Local Green Space – the site's designated open spaces would be protected. As a result, the development complies with CLP Policy A2, LP Policies S5 and G4 and NP Policy ES1 which, collectively, designate open spaces, seek to protect them and prevent the loss of them.

Character and appearance and the Dartmouth Park Conservation Area

77. The Dartmouth Park Conservation Area (the CA) contains a broad spectrum of residential development dating from the 18th century to present day. It also contains a wide variety of community facilities which have supported this residential character such as schools and churches. Undulating topography within the CA permits long-distance views of central London. Whilst much of the CA's residential development is quite densely laid-out, the prevalence of mature gardens, street trees and hedgerows nevertheless provides it with a verdant character. This combination of, on the one

[16] Appeal decision APP/J2210/W/19/3226136

hand, being built-up yet, on the other, verdancy and some tranquil qualities is part and parcel of the CA's character and appearance. For these reasons, the significance of the CA is principally derived from its architectural and historic interest.

78. The site's contribution to the CA mainly stems from its verdancy and open qualities, set amongst residential development typifying the CA, and its history of leisure use, and, therefore, contribution to the CA's community facilities.

79. The care home would be a large building and, coupled with the concentration of activity that it would bring, it would result in some transformative effects on the site's present condition, and it would take on a more developed appearance and result in some reduction in the area's tranquillity. However, it would also result in the repurposing of a presently disused site and the replacement of dilapidated sports facilities with a development bringing with it an enhanced leisure offer, reflective of its historical use, and a landscaping scheme proposed to retain most of the site's trees and add to them with varied plantings and features. Furthermore, the care home building itself would adopt a stepped design and a degree of articulation which would be effective at limiting its sense of scale and mass. Matters of detailed design, such as the use of materials and lighting, could also be effectively controlled and refined through the use of conditions. Overall, the proposal would deliver a high-quality development.

80. Therefore, the character and appearance of the CA would be preserved, and the proposal would deliver a development which would acceptably assimilate into the area.

Highway safety

81. In my main issues, I have already found that the magnitude of any increase in parking demand would not be so significant that it would result in any unacceptable parking stress levels or in effects prejudicial to highway safety.

82. I have no firm basis on which to conclude that the layout, character and condition of the local highway network could not safely and satisfactorily cater for the quantum or variety of highway movements which would arise from the development including those by larger service or emergency vehicles and the movement of children as they navigate their way to the area's various schools.

83. The development would retain the established site access point at Croftdown Road. Its width would be sufficient to cater for the development's arrival and departure movements whilst it would provide sufficient visibility for safe access and egress. The proposed layout would enable larger vehicles to manoeuvre and turnaround within the development's bounds.

84. Therefore, the development would be served by a safe access, and the range of highway movements associated with it would not result in any effects which would prejudice highway safety.

Living conditions

85. Although the care home would have a total of five floors of accommodation, it would be flat-roofed, which would assist in limiting its height. The five floors of accommodation also include a basement level, and a stepped-design has been adopted meaning that certain elements of the building would be lower-slung, and its overall mass would be well-articulated. This design approach has included the provision of a two-storey element where the building comes closest to neighbouring property boundaries towards the south-east of the site.

86. The separation distances between the care home's elevations and those of the neighbouring properties to the site surrounds vary considerably, but the substantive evidence before me demonstrates that even the shortest distances would be in excess of 20m. In many instances the separation would far exceed this.

87. An approach to fenestration has been adopted whereby the more upper-level windows, and the windows serving the likes of bedspaces and lounge/dining spaces, have been generally concentrated within the more central portions of the building and where they would flank open space. Therefore, the design maximises the separation of its windows to neighbouring property, and it limits the potential for overlooking and the prominence of light within the care home's accommodation.

88. In areas, the presence of trees and landscape features on the fringes of the site and within neighbouring gardens would assist in providing screening, filtering and softening views of the development.

89. Therefore, whilst the care home would be a large building, its design embodies, and takes account of, several mitigating factors which would assist in limiting its effects on the living conditions of nearby residents in particular regard to their outlook, privacy and the receipt of light.

90. Furthermore, the proposal is accompanied by a daylight and sunlight report[17] which analyses the effects of the development against Building Research Establishment (BRE) guidance. The SoCG confirms that the Council and appellant are in agreement that the development would satisfy the BRE criteria, and I have been provided with no compelling evidence to form a different view.

91. The development would bring with it site activities and comings and goings, associated with both the care home and the likes of the tennis facilities, and the requirement for the installation of some plant and equipment. However, factors apply, and mitigation can be deployed, which would assist in limiting the noise-related effects of this. Firstly, through the use of conditions, the operational hours of the tennis facilities can be controlled and noise emission restrictions placed on the equipment and plant to be installed at the site. Through the imposition of a condition, the development's external lighting can also be controlled. The care home's external courtyard is partly enclosed by the building's envelope which would assist in reducing any noise emanating from it.

92. Given the quantum of on-site parking provision, the frequency of arrivals and departures at the site will not be high. Servicing movements and activity, and ambulance arrivals and departures, will also take place, but I have no substantive evidence before me which indicates to me that these would be likely to be particularly frequent or disturbing. Furthermore, I have no firm basis on which to conclude that the care home's kitchen and its potential to generate waste, including clinical waste, would generate significant odour and would not be appropriately managed.

93. Therefore, I conclude that the development's effects on the living conditions of neighbouring occupiers would be acceptable.

Flood risk and drainage

94. The site lies within Flood Zone 1 and is therefore subject to a low probability of flooding from any river or sea. The proposal is accompanied by a flood risk assessment[18] which

[17] Daylight & Sunlight to Neighbouring Properties & Proposed Accommodation, by BVP, dated November 2022
[18] Flood Risk Assessment & SuDS, by Nimbus Engineering Consultants, referenced C2618-R1-REV-B, dated October 2022

proposes the installation of a sustainable urban drainage system solution. A condition can be imposed which would ensure the implementation of the drainage system and its management thereafter. I am satisfied that the development would be adequately drained and that it would not result in any increased flood risks on or off-site.

Ecology

95. The proposal is supported by a preliminary ecological appraisal[19], a more recent updated ecological assessment[20] and a biodiversity net gain and urban greening factor report[21]. I have no reason to conclude that these documents do not provide a competent and proportionate analysis of the site, the types of habitats and species that are likely to be present and the range of biodiversity-related effects of the development.

96. Informed by such evidence, and subject to the implementation of some mitigation and enhancement measures which can be ensured via conditions, I conclude that the development would not be likely to result in adverse impacts on protected species whilst the development would achieve some biodiversity gains and betterments.

Remaining other matters

97. Representations made by interested parties propose that other uses, including self-contained housing, would be more appropriate at the site. Self-contained housing is the CLP's priority land-use, however, the proposal would, nevertheless, deliver a form of housing and one which would contribute to maximising housing supply, delivering growth and efficiently using land. In these regards, the development would comply with other development plan policies before me: CLP Policies H1 and G1 and LP Policy H1. Furthermore, an alternative development is not the subject of the appeal - I must consider the proposal before me on its own merits.

98. Representations raise further concerns over the commercial acumen underpinning any business plan supporting the scheme, the suitability of aspects of the care home's facilities and accommodation for its occupants, and its fire safety design. However, no evidence has been presented to me of sufficient weight or substance to lead me to conclude that the development would conflict with any policies of the development plan or justify an objection.

99. Evidence before me indicates that there are local residents with care requirements and concerns have been expressed that the development would compete for care workers to their detriment. However, I have quite limited evidence on the care requirements being referred to, the type of care workers required and the likelihood that the development would divert care from them.

100. Finally, it is asserted that the Council's decision-making processes were prejudiced by conflicts of interest. However, it has not been compelling shown to be that this has been case and, regardless, I have come to my own views on this appeal having regard to the evidence before me now, my own experience and the particular circumstances of the case.

[19] Preliminary Ecological Appraisal Revision A, by James Blake Associates, dated November 2022
[20] Ecological Impact Assessment Bat Risk Assessment Version R2, by Bombus Ecology, dated September 2025
[21] Indicative Biodiversity Net Gain Calculation and Urban Greening Factor, referenced JBA 11/103 EC02a SR Rev A, by James Blake Associates

Conditions

101. My schedule of conditions includes condition 1, which sets out the standard time limitation, and condition 2, which is necessary to ensure that the development is carried out in accordance with the approved plans and necessary supporting documentation for the reason of certainty.

102. Conditions 3, 5 and 6, relating to the use of external materials, the provision of a final landscaping scheme and governing tree works and tree protection, are necessary in the interests of the character and appearance of the area. Condition 6 is a pre-commencement condition. This is necessary because determining tree works and protecting them must take place before works which could otherwise damage them start.

103. Conditions 4, 16 and 17 control, and secure the implementation of, a lighting strategy, a green roof and other biodiversity enhancements. Together, these are necessary to protect and enhance biodiversity and ecological assets. The condition on lighting shall also contribute to the protection of the living conditions of neighbouring occupiers and the character and appearance of the area.

104. Also to protect living conditions, and to minimise the potential for the development giving rise to undue noise and disturbance, the imposition of conditions 7, 8 and 9 is necessary. These conditions concern the tennis facility's opening hours, and the potential for noise and vibration to arise from installed plant, machinery and equipment. In order to promote modes of sustainable transport within the development, conditions 10 and 11, which ensure the provision of cycle storage, are necessary.

105. Condition 12 ensures the installation of air quality monitors, and condition 21 exerts control over the non-road mobile machinery used in the construction phase of the development. These are necessary in the interests of minimising effects on air quality. To ensure that the development secures renewable energy technologies, in the interests of energy efficiency and minimising the effects of climate change, I have imposed conditions 13 and 14.

106. Condition 15 secures the implementation of a sustainable urban drainage scheme, and its maintenance, in the interests of ensuring the site is properly drained and so that the development does not result in any increase in flood risks.

107. To ensure that the site is made safe from the risks posed by contamination, I have imposed condition 18. Conditions 19 and 20 are necessary to ensure that the development's basement level works are undertaken safely, with any potential for structural instability or damage minimised. Conditions 18 and 19 are each pre-commencement conditions. This is required because investigating the potential for contamination must be undertaken at the earliest juncture, whilst oversight of the development's effects on structural integrity must be resolved before any works which could have implications on this take place.

Conclusion

108. The development accords with the development plan as a whole, and there are no material considerations which indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed, subject to the conditions in the attached schedule.

109. In reaching this conclusion, and with particular regard to the references I have made to asthma and care requirements, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 (the Equality Act), which sets out the need to eliminate unlawful discrimination, harassment, victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The Equality Act sets out the relevant protected characteristics which includes disability. However, it does not follow from the PSED that the appeal should not succeed. I am satisfied that any interferences with protected characteristics would be for legitimate and well-established planning policy reasons given the compliance with the development plan I have identified. Consequently, it is appropriate and proportionate to allow the appeal.

H Jones

INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following drawings and documents:
1962-PL-0001-P4
1962-PL-0002-P4
1962-PL-0110-B
1962-PL-0120-P1
1962-PL-0198-P5
1962-PL-0199-P1
1962-PL-0200-P1
1962-PL-0201-P1
1962-PL-0202-P1
1962-PL-0203-P1
1962-PL-0204-P1
1962-PL-0210-P1
1962-PL-0211-P1
1962-PL-0220-P1
1962-PL-0250-P1
1962-PL-0251-P1
1962-PL-0252-P1
1962-PL-0253-P1
1962-PL-0254-P1
1962-PL-0300-P1
1962-PL-0600-P1
BREEAM Multi-Residential 2018 Pre-assessment - Issue 02 dated 06 November 2023
Fire Statement for Planning - Issue P04 dated 11 November 2022
Flood Risk Assessment and SuDS – Ref: C2618-R1-REV-B dated October 2022
Noise Impact Assessment Report – Ref: 23404.NIA.01 Rev E dated 06 December 2022

3) No development above ground works, other than demolition and site clearance works, shall take place until:

   i) detailed drawings, including plans, elevations and sections, have been submitted to, and approved in writing by, the local planning authority depicting the materials to be used in the construction of the external surfaces of the buildings hereby permitted; and

   ii) sample panels of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been prepared on site for inspection and have subsequently been approved in writing by the local planning authority. Full details of the sample panels for construction shall have first been submitted to, and approved in writing by, the local planning authority.

   The development shall be caried out in accordance with the approved drawings and samples.

4) No development above ground works, other than demolition and site clearance works, shall take place until a lighting strategy, including lux plans, has been submitted to, and approved in writing by, the local planning authority. The lighting strategy shall be designed with regard to the Institute of Lighting Professional's Guidance Note 'Bats and artificial lighting at night'. The approved lighting strategy shall be implemented in full prior to first occupation of the development and thereafter retained.

5) No development above ground works, other than demolition and site clearance works, shall take place until details of both hard and soft landscape works have been submitted to, and approved in writing by, the local planning authority. The details shall include:

   i) earthworks showing existing and proposed finished levels or contours;

   ii) proposed planting including the species, plant supply sizes, planting locations and plant numbers/densities;

   iii) all hard surfacing materials including parking areas and external circulation routes;

   iv) means of enclosure including boundary treatments and any retaining structures;

   v) minor artefacts and structures (including furniture, play equipment and signage); and

   vi) a maintenance and management plan

   All hard landscape works (including surfacing, means of enclosures, minor artefacts and structures) shall be carried out in accordance with the approved details before any part of the development is occupied or brought into use.

   All soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the first occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants 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 in the next planting season with others of similar size and species.

6) No development, including demolition, site clearance or preparatory work shall take place, nor any equipment, machinery or materials be brought onto the site until an arboricultural impact assessment addendum (AIA addendum) to the Arboricultural Impact Assessment Ref. HV/MBC/AIA/01a dated 5 December 2022 has been submitted to, and approved in writing by, the local planning authority. The AIA addendum shall provide for:

   i) Updated details, including a schedule, of all tree works to be undertaken to facilitate the development hereby pemitted;

   ii) updated arboricultural impact assessment plans;

   iii) an updated tree protection plan; and

   iv) tree work and protection supervision and monitoring measures.

No development, including demolition, site clearance or preparatory work shall take place, nor any equipment, machinery or materials be brought onto the site until all trees scheduled for retention by the AIA addendum have been protected in accordance with the AIA addendum and British Standard BS 5837: Trees in relation to design, demolition and construction – Recommendations. The protection measures shall be retained until the completion of the development works.

Thereafter, all tree works and development shall be carried out in accordance with the approved AIA addendum.

7) Prior to first use of the tennis facility, a schedule of opening hours for the proposed facility shall be submitted to, and approved in writing, by the local planning authority. The development shall thereafter operate only in accordance with the approved hours.

8) The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dB (A), or by 15dB (A) where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

9) Prior to its use, all machinery, plant or equipment, to be installed to serve the operation of the development, shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from their casings and adequately silenced. Thereafter, all the machinery, plant and equipment shall be maintained as such.

10) Prior to the commencement of above ground works on the care home, other than demolition and site clearance works, details of 5 long stay and 4 short stay cycle storage spaces to serve it shall have been submitted to, and approved in writing by, the local planning authority. The care home shall not be occupied until the cycle storage has been carried out in accordance with the approved details. Thereafter, the cycle storage shall be retained. The goods lift, located closest to the cycle store shown at lower ground floor level on plan 1962-PL-0250 Rev P1 shall be made available to those who need to park their bicycle within the approved cycle storage at all times.

11) Prior to the commencement of above ground works on the tennis facility, other than demolition and site clearance works, details of a secure and covered cycle storage area for 10 cycles to serve the tennis facility shall have been submitted to, and approved in writing by, the local planning authority. The cycle storage shall be carried out in accordance with the approved details before the use of the tennis facility commences and, thereafter, shall be retained.

12) At least 3 months before the commencement of development air quality monitors shall be installed on site, in accordance with details which shall first have been submitted to, and approved in writing by, the local planning authority.

Prior to the commencement of development, evidence shall have been submitted to, and approved in writing by the local planning authority, demonstrating that the approved monitors have been in place for at least 3 months and have been operating.

Thereafter, the monitors shall be retained and maintained in accordance with the approved details until the cessation of the development works.

13) No development above ground works, other than demolition and site clearance, shall take place until works drawings and data sheets showing the location, extent and predicted supply from the ground source heat pump to be installed, together with a monitor meter, and a system lifetime maintenance schedule, have been submitted to, and approved in writing by, the local planning authority. The monitor meter shall monitor the energy output from the approved renewable energy system. The development shall not be occupied until the ground source heat pump system has been installed in full accordance with the approved details. Thereafter, the ground source heat pump system shall be retained and maintained in accordance with the approved details.

14) No development above ground works, other than demolition and site clearance, shall take place until drawings and data sheets showing the location, extent and predicted energy generation of the photovoltaic cells and associated equipment to be installed on the building, together with a monitor meter, and a system lifetime maintenance schedule, have been submitted to, and approved in writing by, the local planning authority. The monitor meter shall monitor the energy output from the approved renewable energy system and the lifetime maintenance schedule shall include safe roof access arrangements. The development shall not be occupied until the photovoltaic cell system has been installed in full accordance with the approved details. Thereafter, the photovoltaic cell system shall be retained and maintained in accordance with the approved details.

15) A. The development shall not be occupied until a lifetime maintenance plan demonstrating how the sustainable drainage system, as approved in the Flood Risk Assessment and SuDS – Ref: C2618-R1-REV-B dated October 2022 shall be maintained, has been submitted to, and approved in writing by, the local planning authority. Thereafter, the sustainable drainage system shall be maintained in accordance with the approved details.

B. The sustainable drainage system shall be implemented and installed in full accordance with the details contained within the approved Flood Risk Assessment and SuDS – Ref: C2618-R1-REV-B dated October 2022.

16) No development above ground works, other than demolition and site clearance, shall take place until full details of the green roof, as depicted on the approved roof plan, has been submitted to, and approved in writing by, the local planning authority. The details shall include: species, planting density, substrate, a maintenance programme 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. The care home shall not be occupied until the green roof has been implemented in accordance with the approved details. Thereafter, the green roof shall be retained and maintained in accordance with the approved details.

17) No development above ground works, other than demolition and site clearance works, shall take place until details of biodiversity enhancements, incorporating the recommendations of the Preliminary Ecological Appraisal Revision A dated November 2022 and the Indicative Biodiversity Net Gain Calculation and Urban Greening Factor JBA 11/103 EC02a SR Rev A dated 19 October 2022, have been submitted to, and approved in writing by, the local planning authority. The

enhancement measures shall be carried out in accordance with the approved details and no later than the first planting and seeding seasons following the first occupation of the development or the completion of the development, whichever is the sooner.

18) A. No development shall take place until a site investigation into the risks posed by any contamination has been undertaken, and an assessment of findings submitted to, and approved in writing by, the local planning authority. The site investigation assessment should assess all potential risks identified by the desktop study (GEA Desk Study and Basement Impact Assessment Report, reference J21288 Rev 1, dated October 2022) and should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by radon and by ground gas. All works must be carried out in compliance with BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Land Contamination Risk Management (LCRM) and by a competent person.

B. No development shall take place until a remediation method statement (RMS) has been submitted to, and approved in writing by, the local planning authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This document should include a strategy for dealing with previously undiscovered contamination. All works must be carried out in compliance with LCRM and by a competent person.

C. Following the completion of any remediation and before the development is first brought into use, a verification report demonstrating that the remediation as outlined in the RMS has been completed shall be submitted to, and approved in writing by, the local planning authority. This report shall include (but may not be limited to): details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation. All works must be carried out in compliance with LCRM and by a competent person.

19) No development shall take place until a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Details of the appointment and the appointee's responsibilities shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

20) The development shall only be carried out in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (Desk Study and Basement Impact Assessment Report, ref J21288 Rev 1, prepared by GEA, dated 21/10/2022) hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

21) All non-road mobile machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and

560kW used on the site for the entirety of the demolition and phases of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phases of the development. No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Appearances

For the appellant:

Neil Cameron	KC at Landmark Chambers
Nick Belsten	Executive Director at HGH Consulting
Juliet Munn	Partner at Town Legal LLP
Bella Buffini	Principal Planning at HGH Consulting
William Laing	Executive Chairman at LaingBuisson
Rebecca Mason	Director at Iceni Projects
Andy Goodchild	Director at Wolff Architects

For the Council:

Matthew Henderson	Barrister at Landmark Chambers
Ed Hodgson	Senior Planner at the Council of the London Borough of Camden
Chris Lehmann	Director ASC Strategy and Commissioning and Deputy DASS, Adults and Health at the Council of the London Borough of Camden
Harri Phillips	Senior Commissioner Adults and Health at the Council of the London Borough of Camden

Interested parties:

Councillor Lorna Russell	Councillor at the Council of the London Borough of Camden
Councillor Anna Wright	Councillor at the Council of the London Borough of Camden
Richard Ault	Captain at Kenlyn Tennis Club
Neil O' May	Local resident

Jonathan Bor	Local resident
Rosemary Budge	Local resident
Aniela Shuckburgh	Local resident
Fay Ripley	Local resident
Dan Lapaine	Local resident
Mandy Rose	Local resident
Oliver Butt	Local resident
Bernadette O' Leary	Local resident

Documents submitted at the hearing

From the appellant:

1. Updated list of plans for determination - 'List of plans contained in Condition 2 for approval'
2. Policy H8 of the Emerging Camden Local Plan

From interested parties:

1. Neil O' May speech - 'Residents' Submissions to Planning Inspector 12 May 2026 (development of the Mansfield Bowling Club site)'
2. Richard Ault speech – 'The Former Mansfield Bowling Club Hearing (1 day) on Tuesday 12th May'
3. Councillor Lorna Russell speech – 'Lorna Jane Russell speech – Tuesday 12th May 2026'
4. Councillor Anna Wright speech – 'Comments from Councillor Anna Wright Appeal hearing. Former Mansfield Road Bowling Club, 12 May 2026'

Documents submitted after the hearing closed

From the appellant:

1. Inspector's note following the hearing's condition session with appellant and Council commentary

From the Council:

1. Completed Section 106 agreement, dated 27 May 2026 together with clarifications