

24 August 2006

**The Planning Inspectorate  
3/14 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL BS1 6PN**

**Your Ref: APP/V5570/E/06/1199436 and APP/V5570/A/05/1195728**

Dear Sir/Madam,

**Appeal by Clan Real Estate (Lamb's Club) Limited**

1. Sport England has previously set out its objections to the planning application by Clan Real Estate for redevelopment of the Lamb's Club in a letter to the Planning Inspectorate dated 18 January 2006. This, together with correspondence to the London Borough of Islington, sets out our views on the application proposals.
2. A subsequent amended planning application by Clan Real Estate makes no change to the reasons for Sport England's objections to the loss of this major sports facility.
3. I have therefore set out in this letter the particular issues that were to be raised by Sport England at the London Borough of Islington Planning Sub-Committee which was due to consider the amended application on 8<sup>th</sup> June 2006. The application was withdrawn at very short notice.

**What does Sport England do?**

4. Sport England is a government-funded body that provides the strategic lead for Sport in England.
  - We distribute lottery funds and have invested over £2 billion from the lottery and over £300 million from the Exchequer in sport across England.
  - We help to develop the sporting infrastructure and governance of sport.
  - We assist in the planning and development of sports facilities.
  - We are also responsible for increasing participation in sport and physical activity - to improve health. Our aim is to encourage people of all ages to start, stay and succeed in sport at every level - to make England an active and successful sporting nation.
5. Sport England is also engaged with the planning system and employs qualified planners in each of our nine regions to undertake this work.
  - We comment on the preparation of strategic and local development plans.
  - We have produced web-based planning tools to help local authorities assess sporting needs and plan provision.
  - And we respond to statutory consultations on planning applications affecting playing fields.

### **Why is Sport England interested in this planning application?**

6. If proposals would lead to the creation or the loss of major sports facilities, the government advises local planning authorities to consult Sport England<sup>1</sup> – to enable its views to be taken into account in determining such applications.

### **What are Sport England's conclusions on this proposal?**

7. The planning application that was refused permission in 2005 and the redevelopment of the Lamb's Club now proposed, would both result in the complete loss of a major sports facility, a nine-court squash club, without any satisfactory replacement.
8. Both proposals are considered to be unacceptable by Sport England and our recommendation is that this latest version should also be rejected.

### **Why is it unacceptable?**

9. Sport England considers that the proposal is contrary to planning policies:
  - At national level – in the government's Planning Policy Guidance for sport and recreation: PPG17
  - At regional level – in the Mayor's London Plan
  - And at local level – in Islington's own UDP.
  - It is damaging to significant sporting interests – locally and regionally.
  - The proposed redevelopment for flats is not necessary and does not justify the loss of the existing major sports facility.
  - The evidence to support the proposal, put forward by the applicant and their advisors, does not, in our view, outweigh these objections.

### **What were the main factors in arriving at this conclusion?**

10. We have rejected the claim that the Lamb's Club is surplus to requirements. Evidence indicates that it continues to fulfil a valuable role as a major sports facility of local and regional significance and that it has the potential to extend that role in the future.
11. Many of its members value Lamb's because it is close to their places of work in central London. This encourages participation in sport during the working day and the Club's large size provides opportunities for a wide range of competitive play.
12. Lamb's is also an important regional squash venue for major competitions, which it can host because of its nine courts and facilities, including three show courts with spectator seating.
13. There is no evidence that the loss of this major sports facility is supported by the local community – including the working community in this part of central London. We consider it offers potential, with appropriate management objectives, to become part of the community sporting infrastructure of Islington.
14. It is also highly significant that its loss is strongly opposed by the relevant National Governing Body for the sport – England Squash.
15. We even considered the question: Is redevelopment for residential use essential for the London Borough of Islington to meet its housing provision targets? The

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<sup>1</sup> By Annex B of DoE Circular 9/95, General Development Order Consolidation (as amended).

answer is *no*. Monitoring figures from the Greater London Authority reveal that over the last two years together (2003-5) Islington has *exceeded* its provision target by over 17%. There is therefore no pressing need for destroying this major sports facility and replacing it with a block of flats and ground floor offices.

### **How does the proposal conflict with relevant planning policies?**

16. The government's National Planning Policy Guidance for sport, titled: "Planning for open space, sport and recreation" and known as PPG17 was published in July 2002. One of the principle objectives of PPG17 is to protect existing sports facilities against unnecessary loss to other land uses.
17. One way in which it seeks to do this is by imposing strict tests in order to assess, for example, whether such sports facilities are truly surplus to requirements before planning permission involving their loss should be considered.
18. Another of its tests is the need for the developer to demonstrate that their proposals are widely supported by the local community.
19. Does the proposal conflict with PPG17? Sport England considers that it does on two important points: (1) the facilities are not surplus to requirements and (2) support from the local community for the proposals is absent.
20. Let's look at these points in more detail. What is meant by "surplus to requirements"? Should it really be limited, as the applicant claims, to examining only the use being made today of the facility? Is it not relevant to consider also the previous use of the facility and its potential for increased use in the future, given appropriate management objectives? Sport England considers these aspects should also be taken into account in assessing if a major sports facility is genuinely "surplus to requirements".
21. In this case, we do not consider it is sufficient simply to find out if there are other squash clubs in the area willing to enrol new members. None of these are as large as Lamb's with the range of competition available that Lamb's provides. They may also be less accessible both in location and in the ability to book courts at the peak times when most members want to play.
22. Important though the needs of the Club members are, there are also other factors in assessing the "surplus to requirements" question. In his representation to the local planning authority, the applicant's legal advisor, Mr. Warren stated: "The LPA will need to examine carefully the claim by Sport England that the club has a national or even international role". He suggested that the writer's judgement was flawed by claiming that the club is 'highly significant in the squash world'."
23. However, the Club describes itself on its own website as follows:

"Situated only a stone's throw away from the Barbican, Lamb's offers unrivalled quality of service combined with great facilities and staff who are passionate about their members. Our strong sporting heritage and outstanding squash facilities make us the No. 1 choice for squash in London. One of the most famous and prestigious squash clubs in the world, Lamb's is situated in the heart of the City of London and is home to some of the world's most famous squash players, teams and tournaments. Once quoted by Jahangir Khan as "the best club he had ever played at".

24. This account clearly describes Lamb's as a significant squash club with a national and even international role. Lamb's is rare in having such a high reputation and the capacity, with its associated facilities, to host major tournaments. The applicant's assertion that this role has ceased is not supported. For example, last year it hosted the England Squash Inter County Championship Finals – one of the world's largest squash competitions. This provides further evidence that this facility cannot properly be regarded as "surplus to requirements".
25. Sport England considers its potential for increased use in the future can also be significant. At present, a minority of Lamb's members are local residents and people working in this part of central London use it more. This is at least in part because the management of Lamb's has promoted membership to the corporate sector and has not opened the facility at weekends. However, weekend opening could attract more local residents to play squash – offering the potential for the Club to become a valuable part of Islington's community sports infrastructure and helping to promote increased participation in sport and physical activity. It could also offer potential for developing links with local schools e.g. as part of Sport England's Community Club Development Programme.
26. The second point under PPG17 is the need for the developer to demonstrate their proposals are widely supported by the local community. What does PPG17 mean by "local community"? PPG17 includes "those working in the area", together with local residents and visitors as part of "the community" whose existing and future needs for open space, sport and recreation facilities should be assessed by local authorities.<sup>2</sup>
27. By excluding the "working community" from the "local community", contrary to PPG17's approach, the officer's report (for the June Planning Sub-Committee) claimed that the Club's closure would have little impact on the community. In Sport England's view, this is inaccurate as it completely ignores two important considerations: (a) the Club's potential to benefit the residential community through appropriate management objectives (e.g. weekend opening; school-club links); and (b) the significant harm to the interests of the working community (including many of its members) resulting from its closure.
28. The officer's report further extended this misinterpretation of PPG17 to argue that consultation with the local community is therefore "unnecessary" and, that the applicant's failure to do so "does not constitute a breach of the guidance in PPG17".
29. Sport England does not share this view. Firstly, PPG17 indicates that in terms of sporting needs, the community includes those working in the area - so Lamb's members form part of the community. Secondly, paragraph 10 of PPG17 is clear and unequivocal on this point:

"Developers will need to consult the local community and demonstrate that their proposals are widely supported by them."

PPG17 offers no "escape clause" for that requirement.

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<sup>2</sup> PPG17, paragraph 1: "Local authorities should undertake robust assessments of the existing and future needs of their communities for open space, sports and recreational facilities."

PPG17, paragraph 2: "The needs of those working in and visiting areas, as well as residents should also be included."

30. Thirdly, the reason for consulting the community is to measure support for the developer's proposals – they need to be widely supported to meet the test. The officer's report for the June Planning Committee stated in paragraph 17:

"It is considered that those people who currently use the facility..." [in other words, part of the community comprising mostly the working community but also some residents] - that those people "have been given every opportunity to make representations in relation to this application."

31. Although opportunities to comment on the application have been provided, this interpretation ignores the crucial question: Are the developer's proposals widely supported by the community including the users? The answer is unequivocal – they are *not* widely supported. On the contrary – the evidence provided by the number of objections made to the applications clearly demonstrates that the developer's proposals are strongly *opposed* by the community.

### **The London Plan**

32. The Spatial Development Strategy for Greater London (*The London Plan, Mayor of London 2004*) contains a section on Culture and Sport in London. Policy 3D.5, on Sports facilities states: "The Mayor will work with strategic partners to promote and develop London's sporting facilities...In reviewing UDPs, boroughs should identify sites for a range of sports facilities to meet local, sub-regional and wider needs."
33. In Sport England's view, the Lamb's Club already meets significant local and wider needs for the playing of squash at a high level of competition. Retention of the Club would therefore contribute to meeting important sporting needs in London while its loss would be contrary to the policy objectives of the London Plan.

### **Islington UDP (adopted June 2002)**

34. Chapter 7, Recreation and Leisure, contains policy R1, which states: 'The Council will encourage new and improved facilities for leisure, culture and recreation in the borough...' Since the loss of an existing important recreation facility (Lamb's Club) without replacement would produce deterioration in the provision of such facilities, it should follow that the proposal is contrary to the objective of policy R1 of improving and increasing facilities.
35. Policy R17 states: "The Council supports the provision of additional facilities for indoor sports, fitness and active leisure pursuits. In particular it will seek a wider spread of opportunities across the borough...". Again, the loss of Lamb's Club would be contrary to this policy objective as it would reduce the provision of facilities and narrow the availability of sporting opportunities in the borough.
36. Policy R23, Changes of Use, states: "Permission will not normally be granted for development which would involve the loss of a public cinema or theatre, or any other building suitable for public entertainment, arts or cultural use, unless it is replaced with a similar facility." It is clear from the wording of this policy that the Council wishes to safeguard its cultural heritage in the borough. Sport England and DCMS regard the sporting infrastructure as part of our cultural heritage which should be safeguarded against unnecessary loss.
37. Furthermore, Diagram 1 in the Companion Guide to PPG17 indicates that if a developer's proposals, such as those in this appeal, are not widely supported by

the local community, then planning permission should be refused, because they would be in breach of PPG17.

38. Sport England therefore contends that it is not in the public interest that a major sports facility in central London should be lost in the face of:

- Numerous objections from its members – part of the sporting community of London.
- Objections from England Squash, the relevant National Governing Body for the sport.
- Objections from the government's sports advisory body and planning consultee – Sport England.
- Conflict with the Mayor's Spatial Development Strategy – the London Plan.
- Conflict with the national planning policy guidance PPG17.
- Interest in its potential wider use as part of the community sports infrastructure for the borough.

39. In our view, this proposal conflicts with important national and regional planning policies. The Lamb's Club is a major sports facility which should not be lost unnecessarily to other land uses and the appeal therefore merits refusal.

Yours sincerely,

**Peter Durrans**

**Planning Manager  
Sport England, London Region**