

## **OFFICER DELEGATED DECISION 8 JANUARY 2024**

**Report title:** Conservation Areas - Boundary Changes to Brixton CA, Ferndale CA, Loughborough Park CA, and Streatham Hill and Streatham High Road CA.

**Wards:** Brixton Acre Lane, Brixton Windrush, Herne Hill and Loughborough, Streatham Common and Vale, Streatham St Leonard's, and Streatham Wells.

**Portfolio:** Cabinet Member for Sustainable Growth and New Homes: Councillor Danial Adilypour

**Report Authorised by:** Rob Bristow, Director for Planning, Transport and Sustainability

**Contact for enquiries:** Doug Black, Team Leader, Conservation and Urban Design, Sustainable Growth and Opportunity Directorate, 020 7926 4065, dblack1@lambeth.gov.uk

### **REPORT SUMMARY**

From time to time changes to conservation area boundaries become necessary to ensure the designations remain appropriate. In November 2020 it was agreed to consult on proposed boundary changes to a number of the conservation areas. The November 2020 report contains the justification for the proposals.. This report summarises the consultation responses and seeks approval to change the conservation area boundaries for the conservation areas listed in the report title.

### **FINANCE SUMMARY**

The projected revenue costs of undertaking the recommendations is £1,300 and will be funded through existing budgets.

### **RECOMMENDATIONS**

- (1) To note the detailed consultation responses contained within APPENDIX 1.
- (2) To agree boundary changes for Brixton Conservation Area in accordance with the map in APPENDIX 2.
- (3) To agree boundary changes for Ferndale Conservation Area in accordance with the map in APPENDIX 3.
- (4) To agree boundary changes for Loughborough Park Conservation Area in accordance with the map in APPENDIX 4.
- (5) To agree boundary changes for Streatham High Road and Streatham Hill Conservation Area in accordance with the map in APPENDIX 5.

## 1. CONTEXT

- 1.1 The proposal aligns with Our Borough Plan 2030, objectives 'Making Lambeth a place we can all call home' and Council policy Q22 of the Lambeth Local Plan (conservation areas).
- 1.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 defines conservation areas ('CA' or 'CAs') as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. The Act requires LPAs to revisit conservation area designations 'from time to time'.
- 1.3 There are currently 62 conservation areas in the borough. Conservation Area designation brings with it controls over the demolition of some structures, restrictions on the exercise of some permitted development rights and notification requirements over works to trees. Conservation areas are designated heritage assets for the purposes of applying the National Planning Policy Framework ('NPPF'). Under the NPPF, development proposals that would harm the significance of a designated heritage asset require clear and convincing justification before planning permission can be granted.

## 2. PROPOSAL AND REASONS

- 2.1 The consultations on the proposed boundary changes ran from 30 November 2020 to 20 January 2021. All the properties affected by the proposed boundary changes were sent letters explaining the proposed boundary changes and relevant local amenity societies were notified by e-mail. Historic England was notified of the proposals. Details of the consultation were posted on the Council's consultation web pages.
- 2.2 For Ferndale CA and Loughborough Park CA the consultation also sought views on draft conservation area character appraisal documents for those conservation areas. In those conservation areas all properties in the CA received fliers which were hand delivered by officers in the Conservation & Design Team. This report does not address responses to those draft character appraisals. The Character Appraisals cannot be finalised until the CA boundary changes proposed in this report are actioned.
- 2.3 Schedules outlining the detailed representations received for each proposed conservation area boundary change, and the officer response to each, can be found in Appendix 1. The consultation responses have been summarised in Section 5.
- 2.4 Officers have given detailed consideration to the representations received and have reached the following conclusions for each of the affected CAs.

### Brixton Conservation Area

- 2.5 The proposed boundary changes relate to (1) irregularities to the CA boundary resulting from the construction of the Lambeth Civic Centre and the adjoining residential block Somerset Place and (2) the proposed transfer of part of the Loughborough Park CA into the Brixton CA. Historic England, Brixton Society and one individual responded.
- 2.6 Officers note that Historic England supports all of the proposed boundary changes to the Brixton CA. It was proposed by the individual that the southern part of the Brixton CA, that part contiguous with Rush Common and Brixton Hill Conservation CA might be better included in the Rush Common and Brixton Hill CA. Officers consider that this is a matter best addressed through a

separate review of the Rush Common and Brixton Hill CA boundary. For that reason, it is considered premature to remove Somerset Place (a 14 storey block of flats) from the Brixton CA until the implications for Rush Common and Brixton Hill CA boundary review are understood. However, given that the Brixton CA boundary currently runs through the middle of the Civic Centre it is proposed to proceed with that boundary change.

- 2.7 Officers have considered the Brixton Society proposal to include Brixton Recreation Centre and International House within the CA. However, it is felt that those large, modern buildings are at odds with the characterful fine-grain historic townscape which is the principal special characteristic of the Brixton CA and that their inclusion within the CA would not be appropriate. It should be noted that the Brixton Recreation Centre is also subject to national listing which affords a high level of statutory protection already.
- 2.8 The Brixton Society objected to the moving of Character Area 3 of the Loughborough park CA into the Brixton CA. However, Officers remain convinced that the proposed approach is justified given the character of the frontage proposed to be moved is retail / commercial and of town centre character.
- 2.9 It is therefore proposed to extend the CA as shown on the map in Appendix 2 to include:
- (i) The whole of the Civic Centre and the roadways to its west and south.
  - (ii) The Coal Lane development between Gresham Road and Valentia Place (including Antiopa House, Yorks House and Leno House), the Gresham Baptist Chapel at no. 36 Barrington Road, no 100 Barrington Road, no. 322b Coldharbour Lane, nos. 322 (including plot to rear facing Gresham Road) - 372 (evens) Coldharbour Lane (including Miles Square), no 71 Gresham Road nos. 86 – 88 Gresham Road, nos. 2a, 2 – 7 Valentia Place and nos. 20, 21 and 22 Valentia Place. These properties will be transferred from the Loughborough Park Conservation Area (see para. 2.17).

#### Ferndale Conservation Area

- 2.10 The reason for the designation of this conservation area is because of the concentration of Victorian houses designed by George Jennings. An extension in the late 1990s had subsequently added a small area of non-Jennings development in order to protect the Brixton School of Building from demolition. The proposed boundary changes sought to address an historic anomaly to the western end of the CA (where the boundary runs through the middle of a building) and remove a portion at the eastern end. The removal of that part was because the subsequent redevelopment of the former Brixton School of Building removed much of its architectural and historic interest (the site was largely cleared) and what remains is not of sufficient special interest to warrant inclusion. Additionally, the houses around it are not by Jennings and of no particular special character.
- 2.11 Historic England, the Brixton Society and five individuals commented on the proposed boundary changes. Officers note that Historic England supports all of the proposed boundary changes. The Brixton Society and three individuals objected to the removal of the eastern part of the CA; largely on the grounds that it would remove protection for the main building of the former Brixton School of Building. No new information has come forward from the consultation responses that materially affects the original officer assessment in relation to the proposed removals from the CA. Nor do officer consider the properties proposed for inclusion by the Brixton Society (65 – 69 Bedford Road) to be appropriate as it is not development undertaken by George Jennings. It is therefore proposed to alter the boundary as shown on the map in Appendix 3:
- (i) Extend the CA to include the whole of no. 4 Ferndale Road;
  - (ii) Remove from the CA nos. 118a, 120a, 122 – 164 (even) and 1- 22 Stafford Mansions, Ferndale Road; and
  - (iii) Remove from the CA all properties on Rubens Place which include Vickery House, Beresford House and Lethaby House.

- 2.12 The possible inclusion on the Council's local heritage list of Stafford Mansions (former Brixton School of Building) will be considered in a separate report.

#### Loughborough Park Conservation Area

- 2.13 This conservation area is largely characterised by middle class 19<sup>th</sup> Century villas of high architectural and townscape value. However, there is a western spur of commercial development which abuts the Brixton CA and on the Shakespeare Road frontage on the eastern edge of the CA are Victorian houses and post-war infill of ordinary quality. The consultation proposed to transfer the commercial western spur into the Brixton CA, a modest increase to the north, and to de-designate the ordinary properties fronting Shakespeare Road. Historic England, Brixton Society, Loughborough Junction Action Group, and four individuals commented on the proposed boundary changes.
- 2.14 Officers note that Historic England supports all of the proposed boundary changes. No objections were received to the northern extension. The Brixton Society and Loughborough Junction Action Group proposed the inclusion of the Evelyn Grace Academy. Officers do not consider it appropriate for inclusion given its recent date and that it does not have any shared architectural or historic characteristics with the historic development within the CA. The Brixton Society objected to the transfer of the western spur into the Brixton CA. However, no new information has come forward from the consultation responses that materially affects the original officer assessment in relation to the proposed removals from the CA. It is therefore proposed to amend the boundary as shown on the map in Appendix 4:

(i) Extend the CA to include no. 245 Coldharbour Lane and nos. 86 – 104 Shakespeare Road;

(ii) Remove nos. 277 – 385 Shakespeare Road and Loughborough Court, Shakespeare Road;

(iii) Transfer the following into the Brixton Conservation Area (see para. 2.09 (ii)) of this report: Coal Lane development between Gresham Road and Valentia Place (including Antiopa House, Yorks House and Leno House), the Gresham Baptist Chapel at no. 36 Barrington Road, no 100 Barrington Road, no. 322b Coldharbour Lane, nos. 322 (including plot to rear facing Gresham Road) - 372 (evens) Coldharbour Lane (including Miles Square), no 71 Gresham Road nos. 86 – 88 Gresham Road, nos. 2a, 2 – 7 Valentia Place and nos. 20, 21 and 22 Valentia Place.

#### Streatham High Road and Streatham Hill Conservation Area

- 2.15 The consultation proposed the removal of the southern part of the conservation area (south of the railway line serving Streatham Railway Station and also the station building itself) because, since, designation, the character of that part of the CA has been so radically changed through redevelopment (Tesco and Leisure Centre in particular) that it is no longer of special architectural or historic interest. The Tesco / Leisure Centre redevelopment necessitated a number of historic buildings including a church hall, a 1930s ice rink and a 1930s swimming pool. Only two buildings of any character remain – Streatham United Reformed Church and Century House; they are not sufficient to warrant conservation area designation.
- 2.16 Responses were received from Historic England, Streatham Society and ward members. Officers note that Historic England supports the proposed boundary change. Ward members had concerns regarding the removal noting that de-designation would reduce planning controls and remove the need for works to trees to be notified to the Council's protections. They are correct that de-designation will remove conservation area controls. However, the starting point must be whether the area is of 'special architectural or historic interest'. Given that the area is no longer of special interest its treatment as a conservation area cannot be justified. In response to the Streatham Society concerns, a conservation area boundary that extends south only to include the United Reformed Church and Century House would not be considered in accordance with best practice. It should be noted that Streatham United Reformed Church benefits from national listing (grade II)

which means that it will remain subject to statutory control even when removed from the CA. The inclusion of Century House on the Council's local heritage list will be addressed in another report.

2.17 No new information has come forward from the consultation responses that materially affects the original officer assessment in relation to the proposed removals from the CA as set out in the earlier officer report. It is therefore proposed to amend the boundary as shown on the map in Appendix 5 to remove:

(i) All the properties south of the Streatham High Road railway bridge including Streatham Railway Station. which includes: land to the rear of nos. 45 – 59 Ellora Road, 1 – 5 Bridge Parade, Streatham High Road, 1 – 9 Hopton Parade, Streatham High Road, Century House, 245 Streatham High Road, Streatham Railway Station (inc. associated tracks and platforms), 374a Streatham High Road, nos. 374 – 380 Streatham High Road, no. 382 Streatham High road, Tesco, 384 Streatham High Road, Derry Court, 386 Streatham High Road, Cromie House, 386B Streatham High Road, Streatham United Reformed Church complex.

### 3. FINANCE

3.1 The projected revenue costs of undertaking the recommendations is £1,300 and will be funded through existing budgets of the Planning service.

3.2 Table 1 below details the projected costs.

**Table 1: Projected Costs**

Type	Cost per unit	number	Total cost
Letters	£0.80	1,300	£1,040
Press notices: London Gazette	£100	1	£100
Press notices: South London Press	£160	1	£160
<b>Total</b>			<b>£1,300</b>

3.2 Any additional costs, which are likely to be a minor nature, will be funded through existing budgets.

### 4. LEGAL AND DEMOCRACY

4.1 Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to designate as conservation areas those parts of their areas which they determine are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Section 69(2) requires local planning authorities to review the past exercise of their functions under section 69(1), and to determine if any parts or further parts of their areas should be designated as conservation areas. This review exercise is required to be carried out from time to time but not at any particular intervals; section 69(2) does not specify any particular way in which the review exercise should be conducted.

4.2 If an LPA decides to make changes to the boundary of a conservation area, it is necessary to give formal notice of those changes in the manner specified in s70 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4.3 The Council's Constitution requires that issues of an important or sensitive nature will be published on the Council's website for five clear days prior to the decision being taken (Constitution, Part 2, Chapter F) by the Cabinet Member or officer concerned. Given that these boundary changes affect a number of wards, and the rights of numerous property owners publication is considered appropriate in this instance.

## 5. CONSULTATION AND CO-PRODUCTION

- 5.2 Schedules outlining the detailed representations received for each set of proposed CA boundary changes, and the officer response to each can be found in Appendix 1. Below is a summary of the views received from external consultation responses:

<b>Conservation Area</b>	<b>Consultation Response</b>
<b><u>Brixton Conservation Area</u></b>	
Summary – a total of three responses were received. Two in favour of the proposals, one against	
Include the whole Civic Centre, Brixton Hill	Support from Historic England and on individual. No comment from Brixton Society.
Remove Somerset House and Maugham House, Brixton Hill / Porden Road	Support from Historic England and a local resident. Objection from Brixton Society who would prefer that the 14 storey Somerset Place tower stays in the CA and is labelled a 'negative' contributor.
Consultee suggestions:	Brixton Society also proposed the inclusion within the conservation area of Brixton Recreation Centre and International House.
Consultee suggestions:	An individual suggested revising the adjoining boundary of Brixton CA and Rush Common and Brixton Hill CA.
<b><u>Ferndale Conservation Area</u></b>	
Summary – a total of 6 responses were received.	
Include all of no. 4 Ferndale Road	No objections received.
Remove 118a – 164, the former Brixton School of Building (Stafford Mansions)	Historic England offered no objection. Brixton Society and four residents objected to the removal of Stafford House and the houses flanking it at nos.118a – 164.
Removal of new-build blocks -	Historic England, Brixton Society and a local resident supported this proposal.

Vickery House, Beresford House, and Lethaby House on Rubens Place	
Consultee suggestions:	Brixton Society suggested the inclusion of nos. 65-69 Bedford Road. Historic England suggested that Stafford House (former Brixton School of Building) might be added to the Local Heritage List.
<b><u>Loughborough Park Conservation Area</u></b>	
Summary – a total of 6 responses were received.	
Include no. 245 Coldharbour Lane (Shakespeare Business Park Business Park)	No objections received.
Include numbers 86 – 104 Shakespeare Road	No objections received.
Remove nos. 277 – 385 Shakespeare Road	Historic England and two residents supported this removal. Brixton Society, Loughborough Junction Action Group and a local resident objected. That said, the Loughborough Junction Action Group acknowledge that the properties 'are not of any note'.
Transfer nos. 322 – 372 Coldharbour Lane to the Brixton Conservation Area	Historic England, Loughborough Junction Action Group and two residents supported this removal. Brixton Society and a resident objected.
Consultee suggestions:	Brixton Society and Loughborough Junction Action Group both suggested that the Evelyn Grace Academy (a contemporary school by Zaha Hadid) should be included within the CA,.
<b><u>Streatham High Road / Streatham Hill Conservation Area</u></b>	
Summary – a total of four responses were received. Two in favour of the proposals, one against, with one stating no particular preference.	
De-designation of the southern part of the CA	Support from Historic England. Concern from ward councillors representing St Leonard's Ward. Objection from Streatham Society on the grounds that The United Reformed Church and Century House should remain within the CA.

Consultee Suggestions	Historic England suggested that Century House could be added to the Local Heritage List.
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5.3 Since the initial consultation has been undertaken there has been a local election in London. In Lambeth there was also a change to ward boundaries. In the light of this, a copy of this report was circulated to the current ward councillors for their consideration. See circulation list at back of report. Their responses are summarised below :

5.3 Cllr Scott Ainslie has stated that he would like to maintain and protect the United Reform Church and Century House as buildings of architectural interest and heritage. The church already benefits from grade II listing and Century House is proposed for inclusion on the Local Heritage List.

5.4 Should the recommendations in this report be approved:

Digital Communication

5.5 Stakeholders, including Historic England, will be notified by e-mail of the decision.

Letters

5.6 Letters explaining the implications of the conservation area boundary changes for properties will be delivered to the affected properties.

Statutory Requirements

5.7 Statutory notifications to the Secretary of State and Historic England will be actioned as per s70(5) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (as amended). All the boundary changes will be advertised, as required by law, in the local press and in The London Gazette.

**6. RISK MANAGEMENT**

6.1 By reviewing the existing conservation area boundaries in the borough, the Council is acting in accordance with its statutory duties relating to the review of conservation area designations 'from time to time'.

6.2 The main risks that impede on the successful delivery of this are:

**Table x – Risk Register**

Item	Risk	Likelihood	Impact	Score	Control Measures
1	Legal challenge due to inaction of not reviewing conservation area boundaries 'from time to time'	1	1	1	Very low as review of boundaries is lawfully only required 'from time to time'.

**Key**

<b>Likelihood</b>	Very Likely = 4	Likely = 3	Unlikely = 2	Very Unlikely = 1
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<b>Impact</b>	Major = 8	Serious = 4	Significant = 2	Minor = 1
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## 7. EQUALITIES IMPACT ASSESSMENT

7.1 An Equalities Impact Assessment prepared for this report is at Appendix 6. It has been cleared by the relevant Director 28 September 2023. No negative effects have been identified in the Assessment.

## 8. COMMUNITY SAFETY

8.1 This matter has been considered in relations to the requirements of Section 17 of the Crime & Disorder Act 1998. There are no implications for community safety.

## 9. ORGANISATIONAL IMPLICATIONS

### Environmental

9.1 The identification and management of heritage assets accords with established best practice in relation to the sustainable management of the historic built environment.

### Health

9.2 None.

### Corporate Parenting

9.3 None.

### Staffing and accommodation

9.4 None.

### Responsible Procurement

9.5 None.

## 10. TIMETABLE FOR IMPLEMENTATION

10.1 See below:

<b>Activity</b>	<b>Proposed Date</b>
Statutory notices and formal notification letters for conservation area designation (as required by law)	January 2024
Updating the Council's digital records and website	January 2024

## AUDIT TRAIL

<b>Name and Position/Title</b>	<b>Lambeth Directorate</b>	<b>Date Sent</b>	<b>Date Received</b>	<b>Comments in paragraph:</b>
Councillor Danny Adilypour	Cabinet Member	13/03/23	13/03/23	n/a

Nabeel Khan, Interim Strategic/Executive Director	Sustainable Growth and Opportunity	13/03/23	13/03/23	n/a
Paul Badiani, Finance	Finance and Property	02/03/23	06/03/23	Section 3
Susan Boucher, Legal Services	Legal and Governance	02/03/23	22/03/23	
Lavanjah Manoharan, Democratic Services	Legal and Governance	02/03/23	06/03/23	throughout
Giuseppe Ciraolo, Sustainability Officer	Sustainable Growth and Opportunity	14/11/23	20/11/2023	n/a
Rob Bristow, Assistant Director, Planning, Transport and Sustainability	Sustainable Growth and Opportunity	14/11/23	08/01/2024	throughout

## REPORT HISTORY

<b>Original discussion with Cabinet Member</b>	13/03/23
<b>Report deadline</b>	08/01/24
<b>Date final report sent</b>	08/01/24
<b>Part II Exempt from Disclosure/confidential accompanying report?</b>	No
<b>Key decision report</b>	Yes
<b>Date first appeared on forward plan</b>	08/11/23
<b>Key decision reasons</b>	Not applicable.
<b>Background information</b> <b>MANDATORY:</b> It is a legal requirement to insert any <b>public</b> documents you have used or referenced to write this report. Do not list private documents (such as OB reports). Detailed procurement information will need to be provided in an internal procurement report but will not be appended to this report (and the public info will be a background document).	<a href="#">Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)</a>  <a href="#">ODDR - CA Boundary Changes 2020 signed.pdf</a>
<b>Appendices</b> If (in rare circumstances) appendices are essential to the understanding of the report, list titles here. Ensure that appendices have proper titles.	<a href="#">APPENDIX 1 - consultation response summary.pdf</a>  <a href="#">Appendix 2 Brixton boundary changes.pdf</a>  <a href="#">Appendix 3 - ferndale ca boundary changes.pdf</a>  <a href="#">Appendix 4 - Loughborough park ca boundary changes.pdf</a>  <a href="#">Appendix 4 - Loughborough park ca boundary changes.pdf</a>  <a href="#">Appendix 6 EIA.pdf</a>

## APPROVAL IN ACCORDANCE WITH SCHEME OF DELEGATION

I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board, and taken account of their advice and comments in completing the report for approval:

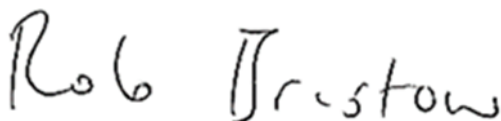


**Signature:**

**Date:** 08/01/2024

**Post:** Doug Black, Team Leader, Conservation & Urban Design.

I approve the above recommendations:



**Signature:**

**Date:** 08/01/2024

**Post:** Rob Bristow, Director – Planning, Transport and Sustainability

**Any declarations of interest (or exemptions granted):** none

**Any conflicts of interest:** none

**Any dispensations:** none